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To Whom It May Concern:

Farmers markets in Alaska are thriving! In 2005 the Division listed 13 markets throughout the State; in 2011 that number is 31, and growing! Each time a new market opens, many questions are asked about rules, authorities, and general guidance. In an effort to provide an overview of relevant information for new market managers and farmers considering vending at a market, this manual was developed.

The manual is broken into two sections. The first half is compiled of information regarding the market as a whole, with market managers as the target audience. The second half is vendor-specific information. Please refer to the Table of Contents for an overview of topics covered.

Some guidance documents, articles and reports were considered valuable enough to be included within the manual as appendices. Other information and websites are listed as links on the "Resources" pages at the end of the manager specific and vendor specific sections.

Over time the Division will provide new and updated information to be included in the manual. The complete manual is also available on our website at [dnr.alaska.gov/ag/](http://dnr.alaska.gov/ag/).

If you have questions or concerns about information included within this manual, please contact the Division of Agriculture, Marketing section.

Sincerely,

Franci Havemeister  
Director

*"Develop, Conserve, and Enhance Natural Resources for Present and Future Alaskans."*

# Developing a Farmers Market: Your Guide to a Successful Alaskan Market



*Developed and compiled by:  
Alaska Division of Agriculture  
and  
UAF Cooperative Extension  
with input from the  
Division of Environmental Health*

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## Farmers Markets Introduction

Farmers markets can be fun, exciting, busy places that draw in members of the community while providing services and outlets to help meet community needs and wants. There are many similarities among farmers markets, such as their events, organization, layout, and format: although, there are many differences among farmers markets as well. The most important influence on a farmers market is the community, and community influence is what makes each market unique. Successful markets tend to respond to community input and provide the services and functions the community wishes to see, especially in places as diverse as Alaska.

This manual provides information based on extensive exposure to farmer markets throughout the state, on various types of research done about farmers markets, and on surveys taken at farmers markets. All of the information in this manual should be useful to creating and maintaining a successful market, however, it does not contain every piece of useful or pertinent information possible. The manual is meant as a tool, but should also open a dialog among experienced farmers market managers and vendors in order to fine-tune the contained information as it pertains to Alaska, and to include additional information that may be useful. Expect to receive updates and additions to this manual as it changes, and feel free to make any suggestions as to how it can be improved for future use.

### *Market Research Tab*

#### *Market Research-Pre Market Analysis*

It is strongly suggested that prior to organizing a market a person should conduct at least two surveys including a consumer survey ([Appendix A](#)) and a local business survey ([Appendix B](#)). If you wanted to develop a sample survey for vendors some sample questions might be:

- Who would be interested in attending the market as a vendor?

- What type of product do you provide?
- What days are most appealing?
- Is “this” site an appropriate location?

As a manager, providing market times when consumers are able to attend and when vendors are available to be present, is imperative. We have provided links to sample surveys on the [Resources](#) page and a printed version behind the “Market Research” tab.

#### *Market Research-Intra Market Analysis*

Good marketing practices encourage markets to continually evaluate the market throughout the season, from the stand point of the consumers, community, market management and if applicable, the sponsors. Managers are encouraged to evaluate the market’s seasons and times, product availability and supply, time of product availability, effectiveness of events, and community involvement. Review the rules and regulations of the market, to see if there were complaints from vendors or consumers. Evaluate the flow of traffic and market facilities. Evaluate customer traffic, and if it is not steady, try increasing promotional efforts, special events, or new vendors.

Oregon State University Extension Service conducted an untraditional survey, called the “dot survey” ([Appendix C](#)) at several farmers markets, which provided valuable input from a large number of market goers. The purpose of the survey format was to engage as many market goers as possible with minimal man power, resulting in an unobtrusive self-service market survey.

Due to low pressure, many participated in the four question survey. They found that participants were interested in the results and would often go back to the board to see how others were answering. It maintained true survey anonymity, which encouraged honest responses. The surveys provided the markets with valuable information, even though the survey was limited to close-ended questions. We encourage managers to consider such an approach for their

market, to gain insight into their customers and community. OSU Extension Services has a special report ([Appendix D](#)) on how to conduct customer counts and surveys, or what they call Rapid Market Assessments.

## *Market Location Tab*

### *Site Considerations*

Once deciding that the community is in favor of having a farmers market, it is important to choose a location carefully. Additional considerations include space for ample parking (discussed under zoning requirements), restrooms, garbage cans, and socializing ([Appendix E & F](#)). Managers may want to consider a “pet” area, if animals are not desired within the market, or provide a pet area to tie dogs up.

## *Legal Considerations Tab*

### *Legal Issues*

It is important to address legal issues, and take all aspects of the law into account when beginning a market. The location will determine what local laws and zoning permits will apply to the market. In some locations, such as within a municipality, zoning permits and health/food safety laws will need to be researched. Legal considerations for market managers include: zoning permits, insurance, road sign laws, and music copyright permissions.

### *Zoning Requirements and Permits*

Each borough has specific planning and zoning requirements, and a manager from each market needs to contact the borough planning and zoning departments before beginning a market. Some boroughs have specific requirements for farmers markets that may not be included in or may differ from general requirements. Do not ignore the importance of ensuring that there is an adequate parking area! Here is the contact information for some of the larger boroughs, but only use the website for general guidance. Call the planning department to get specifics before proceeding!

- [Anchorage](#): 343-8380, Code Question Hotline  
[http://www.muni.org/Departments/OCPD/Planning/zoning/selfHelp/Pages/SH\\_ZoningBuilding.aspx](http://www.muni.org/Departments/OCPD/Planning/zoning/selfHelp/Pages/SH_ZoningBuilding.aspx)
- [Fairbanks](#):  
<http://co.fairbanks.ak.us/CommunityPlanning/>, 459-1260, Community Planning
- [Juneau](#):  
<http://www.juneau.org/cddftp/divisions.php>, 586-0715, Community Development Department
- [Kenai Peninsula Borough](#):  
<http://www.borough.kenai.ak.us/planningdept/>, 714-2200, Planning Department
- [Mat-Su Borough](#):  
<http://www.matsugov.us/planning/>, 745-9556, Planning Department

### *Insurance*

Identifying liability insurance providers for farmers markets in Alaska has proven challenging. So far we only identified two sources of liability insurance for farmers markets (listed below) with Valley Insurance specifically advertising to insure “your Agritourism Operation.” Both are listed below.

- Valley Insurance Services LLC (an independent insurance agent/broker) 907-746-7374  
Email: [lisa@vis-alaska.com](mailto:lisa@vis-alaska.com) or [khrista@vis-alaska.com](mailto:khrista@vis-alaska.com)
- [Country Insurance & Financial Services](#) – agents/offices throughout Alaska

The mention of these companies is not an endorsement and should be considered a starting point for further investigation.

Another consideration for the market manager regarding insurance is to decide whether or not to require participating vendors to have product liability insurance, a requirement that is practiced by some markets in the Continental U.S.

### *Road Sign Law*

Alaska state law ([Appendix G](#)) maintains that signs cannot be signs set on state roads. Muni-

icipalities and boroughs may have additional laws. As a manager, it is important to research local signage laws prior to the first market day, in order to ensure the market is in total compliance.

#### *Music Copyright Permissions*

There are laws regulating copyrighted music; therefore, it is important to make sure the market has permission ([Appendix H](#)) to play copyrighted music. Many individuals are unaware of copyrighted music being an issue at farmers markets, but it is an issue that has recently been brought to the forefront in other states and therefore is worth mentioning specifically.

#### *Developing the Market Tab*

There are a number of items to consider when forming a farmers market ([Appendix I](#)). Items to include: management organization, time and season for market operation, market rules, market fees and budget, vendor sourcing and selection, market arrangement, market signage, advertising the market, and community involvement.

#### *Management Organization*

Management organization varies greatly among farmers markets in Alaska, and it changes as markets grow. Oregon State Extension Service conducted a study on the link between market size and management organization, which indicated that as markets become larger, management changes and often grows to include a full-time manager. There are three typical management types: volunteer management, paid part-time, and a paid full-time manager. For more information about the survey or different management styles and how they change, consult [Appendix J](#).

#### *Time and Season*

Conducting community surveys is one way to select the best days, times, and season(s) to operate a farmers market. In general, Alaskan farmers markets begin operation late in the spring and continue until after harvest in the fall, as

that is when there is fresh produce available for selling. It is important, however, to consider days of the week and operation times carefully, and to keep those days and times as consistent as possible. Make sure to give consideration to when people in the community are most available to attend the market, and vendors are available to sell their products. Feel free, however, to change opening times and/or days to reflect the habits of the customers. For example, if the market opens at 9am, and no customers show up until after 10am, it may be useful to open an hour later and close an hour later. Or if your market is only open on Fridays, but a cruise ship docks on Thursdays, you may want to add Thursday to the schedule to be open for two days, or consider Thursdays as your only day of operation.

#### *Market Rules Tab*

Establishment of market rules and regulations is strongly encouraged prior to recruiting market vendors. It is important to establish at least minimal guidelines regarding market fees, market operation times, and method of vendor stall assignment, as well as providing some general information that will help vendors understand what is expected of them, such as set-up and break-down times after the market.

Although some larger markets have succeeded in establishing expansive and strict rules, vendors in general are likely to accept rules they understand and agree with. Here are two samples of Alaska market rules that are currently used: ([Appendix K](#) and [L](#)).

It is wise to consider contracts for participating vendors that outline both the market rules and what is expected of the vendor. It can be very valuable in resolving disputes, and in the event of contract termination for the vendor. The Farmers Legal Action Group (FLAG) has put together, “Understanding Farmers’ Market Rules” ([Appendix M](#)), which includes informa-

tion on dispute resolution and penalties, and on contract termination.

### *Budget, Vendor Selection Tab*

Establish vendor fees so participants can consider cost when deciding on the appropriate farmers market for their participation. Create a budget prior to establishing fees to make sure everything will be paid for ([Appendix N](#)). Specifically consider:

- Rent
- Insurance
- Permits/Licenses
- Advertising/Promotion
- Legal Fees
- Utilities
- Clean up Costs
- Office Supplies/Equipment
- Manager’s Salary if applicable

There are various methods for determining vendor fees at Alaska markets. Some markets have two operational times and days in a week, and vendors who attend both days are given a discount on a second day. Some markets charge an annual fee to participate, as well as a fee for each day a vendor participates in the market. The vendor fee for each market varies depending on each market.

#### *Vendor Sourcing*

It is apparent that vendors are sourced through many venues. Alaska is a little different in that many of our market managers are producers and those who attend their market are their neighbors. For those who are solely managers and do not know where to source producers, we recommend talking with Cooperative Extension Services or the Alaska Farmers Market Association. Also, the Alaska Division of Agriculture compiles an [Alaska Grown Source Book](#), identifying producers and products grown.

#### *Selecting Vendors*

Once potential vendors are identified, a manager needs to decide which vendors should attend their market. Both [Appendix O](#) and [Appendix P](#)

provide more information on this topic. One consideration is the types of products the various vendors have available. It would not make sense to have ten vendors selling the same product, instead having a wide range and variety of products would encourage a better customer base for the market.

In determining which vendors to choose for the market, consider at least one (more is better) who can be an “anchor vendor”, which is a vendor who is always at the market and has enough of their product(s) to sustain sales through the entire market session. Ask yourself if there is a vendor who you know will draw significant numbers of customers and traffic?

#### *Vendor Arrangement*

Research on transforming sites into a gathering place has been conducted, and was put into a [PowerPoint](#) presentation, which can be used as a tool when developing your market. (<http://www.nyfarmersmarket.com/powerpoint/creatingcommunities.ppt>). Arranging a market is an art and there are some general guidelines for moderating flow of business and ease of movement. Ensure that vendors have space to park their vehicles nearby, for replenishing product. See sample arrangements provided under the “Market Rules” and “Developing a Market” tabs.

Studies show that having a specific entrance and exit generates a traffic flow that is beneficial for vendors and for the market. A specific entrance and exit helps direct traffic and encourages customers to view each vendor. When markets conduct customer counts, it allows for more accurate counts. Coordinating traffic flow has proven beneficial to many outside markets, although not widely practiced in Alaska.

Consider strategically placing your anchor vendors throughout the market, so customers browse the entire market. You can identify similar strategies at work in grocery stores, where milk is strategically placed at the back of the

store, so customers have to walk by other items to get the milk. This is a successful marketing strategy that you should also consider when arranging vendors at the market. Overall, what we encourage most is ensuring that your market is arranged so that it has a smooth and unrestricted flow.

#### Signage on Market Day

Signage is one of the most important methods of advertising a market, and often draws in the largest number of people (compared to other types of advertisement). Both the sign and the placement of the sign are very important. Make sure to research signage laws ([Appendix G](#)) prior to the first market day, to ensure sign compliance, and take a look at the guideline for vendor signs before creating signs for the market.

#### Marketing

Road signs are the most effective method of marketing for farmers markets. Besides road signs, traditional media such as local newspapers, e-newsletters, internet and social media (like Facebook), and even television are all additional ways to advertise successfully. Be proactive about getting the word out and building a strong customer base for the market. Also, encourage participating vendors to help advertise their market, after all, everyone benefits.

#### Community Buy-In and Contribution

Wherever markets are located, it is important that they benefit the community. When local businesses benefit from the market traffic, it creates a symbiotic relationship. Additionally if managers can develop community buy-in, there may be community members who will donate financially, or be a sponsor of the market, by providing space for vendors to setup their booths.

Market managers may consider drawing in community members by holding events at the market. This is an excellent way to connect with consumers. Some managers view it as developing symbiotic relationships, where local busi-

nesses can benefit from the market and the market benefits from consumers the local businesses are drawing in. If and when promotions occur at the market or a local business, both benefit. Historically these business relationships have been successful and beneficial. You may consider credit unions and banks in the vicinity of your market, because they are required to donate to community activities and have proven to be valuable sponsors in Alaska

#### Special Events

Holding special events is an excellent way to bring additional customers into the market. Some possible events include: musical events, cooking demonstrations, gardening classes, arts and craft, Children's Day Games, making veggie critters, and times when select vendors offer specials on products (like buy one get one free). Some special events also raise money for local charities and organizations. Special events ultimately build a sense of community and draw in additional customers, particularly new customers.

#### Market Sponsors

While market sponsors are not common in Alaska, there are some markets that are provided funding assistance from market sponsors. Sponsors might offer rent-free space for markets, fund market insurance, host events, or offer financial or other donations of items that are needed for the market. An additional benefit to sponsors is increased foot traffic, and/or increased advertising for their business.

#### *EBT Machines Tab*

Federally funded food supplement programs such as Women, Infants, Children (WIC), Supplemental Nutrition Assistance Program (SNAP – formerly food stamps) and Senior Farmers Market Nutrition Program (SFMNP) encourage their clients to go to farmers markets for nutritious food. [USDA](#) is pioneering the use of Electronic Balance Transfer (EBT) and offers a how-to handbook for more guidance on EBT accep-

tance. In Alaska, WIC and SFMNP benefits are not yet offered electronically, only as paper coupons. However, SNAP and other bank cards can be utilized for EBT. Markets do have an option of purchasing EBT/SNAP/WIC/SFMNP machines, either wired or wireless, and offer an additional service to customers, by accepting bank cards and nutritional assistance programs. Alaska Department of Health and Social Services is partnering with two farmers markets in 2011 to trial the use of EBT machines at their markets. The Spenard Farmers Market in Anchorage created the [“Food Assistance Vendor Handbook”](#) ([Appendix Q](#)) which provides a thorough overview of the different food supplement programs. Additionally, several [resources](#) are cited in this manual to assist market managers in deciding if such a system is valuable and attainable for their market. We encourage you to utilize

these resources to see what options are available for your market.

## Manager Resources

### *Valuable Resource with Many Subjects:*

- Farmers Market Coalition: [Farmers Market Manager Resource Library](http://farmersmarketcoalition.org/managerfaqs/)  
<http://farmersmarketcoalition.org/managerfaqs/>

### *Market Research*

- Appendix A: Farmers Market Coalition: [Sample Business Survey](http://www.farmersmarketcoalition.org/resources/home/article/resource-library/8-market-start-up-and-development/307-sample-feasibility-survey-for-businesses)  
<http://www.farmersmarketcoalition.org/resources/home/article/resource-library/8-market-start-up-and-development/307-sample-feasibility-survey-for-businesses>
- Appendix B: Farmers Market Coalition: [Sample Consumer Survey](http://www.farmersmarketcoalition.org/resources/home/article/resource-library/8-market-start-up-and-development/172-sample-feasibility-survey-for-consumers)  
<http://www.farmersmarketcoalition.org/resources/home/article/resource-library/8-market-start-up-and-development/172-sample-feasibility-survey-for-consumers>
- Appendix C: Oregon State University, Extension Service: [Dot Surveys](http://smallfarms.oregonstate.edu/sites/default/files/publications/techreports/TechReport5.pdf)  
<http://smallfarms.oregonstate.edu/sites/default/files/publications/techreports/TechReport5.pdf>
- Appendix D: Oregon State University, Extension Service: [Tools for Rapid Market Assessments](#)

### *Market Location*

- Appendix E: Farmers Market Coalition: [Choosing a Location](http://farmersmarketcoalition.org/managerfaqs/#12)  
<http://farmersmarketcoalition.org/managerfaqs/#12>
- Appendix F: New Mexico Farmers Market: [Site Considerations](http://farmersmarketsnm.org/Market_Managers/Marketing_Tools___Resource_Library/Finding_the_right_market_site/index.html)  
[http://farmersmarketsnm.org/Market\\_Managers/Marketing\\_Tools\\_\\_\\_Resource\\_Library/Finding\\_the\\_right\\_market\\_site/index.html](http://farmersmarketsnm.org/Market_Managers/Marketing_Tools___Resource_Library/Finding_the_right_market_site/index.html)
- New York Farmers Market: [Creating Communities - PowerPoint](http://www.nyfarmersmarket.com/powerpoint/creatingcommunities.ppt)  
<http://www.nyfarmersmarket.com/powerpoint/creatingcommunities.ppt>

### *Legal Considerations*

#### *Zoning*

- [Anchorage General Zoning Information:](http://www.muni.org/Departments/OCPD/Planning/zoning/selfHelp/Pages/SH_ZoningBuilding.aspx)  
[http://www.muni.org/Departments/OCPD/Planning/zoning/selfHelp/Pages/SH\\_ZoningBuilding.aspx](http://www.muni.org/Departments/OCPD/Planning/zoning/selfHelp/Pages/SH_ZoningBuilding.aspx)
- [Fairbanks General Zoning Information:](http://co.fairbanks.ak.us/CommunityPlanning/) <http://co.fairbanks.ak.us/CommunityPlanning/>
- [Juneau:](http://www.juneau.org/cddftp/divisions.php) <http://www.juneau.org/cddftp/divisions.php>
- [Kenai Peninsula Borough Planning Information:](http://www.borough.kenai.ak.us/planningdept/) <http://www.borough.kenai.ak.us/planningdept/>
- [Mat-Su Borough Planning Information:](http://www.matsugov.us/planning/) <http://www.matsugov.us/planning/>

#### *Sign Laws*

- Appendix G: [Alaska State Laws on Road Signs:](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/stattx09/query=[JUMP:'AS1925105']/doc/{@1}?firsthit)  
[http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/stattx09/query=\[JUMP:'AS1925105'\]/doc/{@1}?firsthit](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/stattx09/query=[JUMP:'AS1925105']/doc/{@1}?firsthit)

#### *Insurance*

- Farmers Market Coalition: [Insurance Information](http://farmersmarketcoalition.org/managerfaqs/#29)  
<http://farmersmarketcoalition.org/managerfaqs/#29>
- Washington State Farmers Market Assoc.: [Market Insurance](http://www.wafarmersmarkets.com/info/market_info_insurance.html)  
[http://www.wafarmersmarkets.com/info/market\\_info\\_insurance.html](http://www.wafarmersmarkets.com/info/market_info_insurance.html)
- Farmers Market Federation of NY– Insurance: [Market Manager Training Manual](http://www.nyfarmersmarket.com/NYFM_Training_Manual.pdf), pg 18  
[http://www.nyfarmersmarket.com/NYFM\\_Training\\_Manual.pdf](http://www.nyfarmersmarket.com/NYFM_Training_Manual.pdf)

## *Music*

Appendix H: Farmers Market Coalition: [Can we play Copyrighted Music at our Market?](http://farmersmarketcoalition.org/managerfaqs/#27)  
<http://farmersmarketcoalition.org/managerfaqs/#27>

## *Developing the Market*

- Appendix I: USDA Marketing Services: [Starting a Market - PowerPoint](http://www.ams.usda.gov/AMSV1.0/getfile?dDocName=STELDEV3022129&acct=wdmgeninfo)  
<http://www.ams.usda.gov/AMSV1.0/getfile?dDocName=STELDEV3022129&acct=wdmgeninfo>
- Idaho Farmers Market Manual – Market Establishment, Management and Promotion  
<http://www.agri.idaho.gov/Categories/Marketing/Documents/establishingafarmersmarket2009.pdf>
- Appendix J: Oregon State University, Extension Service: [Understanding the Link Between Farmers Market Size and Management Organization](http://extension.oregonstate.edu/catalog/pdf/sr/sr1082-e.pdf)  
<http://extension.oregonstate.edu/catalog/pdf/sr/sr1082-e.pdf>

## *Market Rules*

- Appendix K: Wasilla City Market: [Sample Rules WCM:](http://dnr.alaska.gov/ag/FMM/014APPKWasillaCityMarketVendorPackage.pdf)  
<http://dnr.alaska.gov/ag/FMM/014APPKWasillaCityMarketVendorPackage.pdf>
- Appendix L: Anchorage Market & Festival: [Sample Rules AM&F:](http://dnr.alaska.gov/ag/FMM/015APPLAnchMktFestivalVendorHandbook.pdf)  
<http://dnr.alaska.gov/ag/FMM/015APPLAnchMktFestivalVendorHandbook.pdf>
- Appendix M: [Farmers Legal Action Group \(FLAG\): Understanding Farmers' Market Rules](http://www.flaginc.org/topics/pubs/arts/FarmersMarket.pdf)  
<http://www.flaginc.org/topics/pubs/arts/FarmersMarket.pdf>

## *Budget, Vendor Selection*

- Appendix N: Pacific Grove Farmers Market - [Sample Budget:](http://dnr.alaska.gov/ag/FMM/017APPNSampleBudget.pdf)  
<http://dnr.alaska.gov/ag/FMM/017APPNSampleBudget.pdf>
- Alaska Grown Source Book: [http://dnr.alaska.gov/ag/ag\\_AKGrownResourceBook.htm](http://dnr.alaska.gov/ag/ag_AKGrownResourceBook.htm)
- Market Management – FM Services: <http://www.managemymarket.com/Features.aspx>
- Appendix O: [Omaha Farmers Market Sample Application:](http://www.omahafarmersmarket.com/09%20OFM%20Sat%20SEASON%20Application%20Jan%202024.pdf)  
<http://www.omahafarmersmarket.com/09%20OFM%20Sat%20SEASON%20Application%20Jan%202024.pdf>
- Appendix P: [Fayetteville Farmers Market Membership Applications:](http://www.fayettevillefarmersmarket.org/vendors/forms/)  
<http://www.fayettevillefarmersmarket.org/vendors/forms/>

## *EBT Machines and Managing Electronic Systems with Tokens*

- Appendix Q: [Spennard Farmers Market: Food Assistance Vendor Handbook 2011:](http://dnr.alaska.gov/ag/FMM/020APPQSpennardFMFoodAssistanceHndbk.pdf)  
<http://dnr.alaska.gov/ag/FMM/020APPQSpennardFMFoodAssistanceHndbk.pdf>
- Farmers Market Coalition: [Options for Electronic Benefit Transfer \(EBT\) Machines](http://farmersmarketcoalition.org/managerfaqs/#53)  
<http://farmersmarketcoalition.org/managerfaqs/#53>
- Farmers Market Coalition: [Should we use EBT Machines?](http://farmersmarketcoalition.org/managerfaqs/#54)  
<http://farmersmarketcoalition.org/managerfaqs/#54>
- SNAP/EBT Machines: [Guide to using SNAP](http://www.pps.org/pdf/SNAP_EBT_Book.pdf) [http://www.pps.org/pdf/SNAP\\_EBT\\_Book.pdf](http://www.pps.org/pdf/SNAP_EBT_Book.pdf)
- [Managing and EBT/SNAP System:](http://www.youtube.com/user/FMCorg#p/u/1/kd-Hn4kBY6U) <http://www.youtube.com/user/FMCorg#p/u/1/kd-Hn4kBY6U>
- AMS/USDA: [Federal Food Assistance Programs & Using Electronic Transfers](http://www.ams.usda.gov/AMSV1.0/getfile?dDocName=STELPRDC5085298&acct=wdmgeninfo)  
<http://www.ams.usda.gov/AMSV1.0/getfile?dDocName=STELPRDC5085298&acct=wdmgeninfo>
- YouTube Videos on: [Market Token Management](http://www.youtube.com/user/FMCorg#p/u/1/kd-Hn4kBY6U&t=54s)  
<http://www.youtube.com/user/FMCorg#p/u/1/kd-Hn4kBY6U&t=54s>

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## Sample Survey for Consumers

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A new farmers market is being proposed for \_\_\_\_\_. We are trying to assess the level of interest of consumers in the community for a farmers' market. Providing answers to these questions will help gather information and build a market that provides the products and services you desire.

1. Have you ever shopped at a farmers market before?

- Yes
- No

2. If local farmers were to offer their agricultural products at a neighborhood farmers market, how often would you shop there?

- Weekly
- Once a month
- Occasionally
- Seldom
- Not interested in a farmers market at this time.

3. What products should be available for purchase at a local farmers market?

- Fresh, local vegetables
- Fresh, local fruits
- Eggs
- Cheese
- Maple syrup
- Bedding Plants
- Fresh cut flowers
- Fresh herbs
- Meats
- Organic produce
- Crafts
- Homemade baked goods
- NYS wines
- Homemade jams and jellies and other locally processed foods
- Ethnic foods, specify: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- Other, specify : \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. How far would you travel to shop at a farmers market?

- Up to 10 minutes
- 15-20 minutes
- up to 30 minutes
- over 30 minutes
- only if located on a bus route
- only if within walking distance

5. Where do you think would be the best location for a farmers market in this community? Why?

- (*identify choices being considered*)
- Other: \_\_\_\_\_

6. What days of the week would be the most convenient for you to shop at a farmers market?

- Monday
- Tuesday
- Wednesday
- Thursday
- Friday
- Saturday
- Sunday

7. What is the most convenient time of the day for you to shop at a farmers market?

- Mornings
- Afternoons
- Mornings and afternoons
- Evenings

8. What types of services do you think the market should offer shoppers?

- Protection from the elements
- Restrooms
- Lunch or snack vendors
- Picnic tables
- Benches
- Refuse containers
- Free parking
- Other, specify:  
\_\_\_\_\_

9. How would you like to be informed about the farmers market once it is established?

- Newspaper
- Television
- Radio
- Direct mail
- Doesn't matter
- Other, specify:  
\_\_\_\_\_

10. Including yourself, how many people live in your household?

11. How many children are living at home?

12. What is the age range of the main food shopper in your home?

- 20's
- 30's
- 40's
- 50's
- 60 plus
- retire

13. Do you have any suggestions that you would like to offer the committee planning the new farmers market?

14. Would you like to participate in the planning committee for a new farmers market for the community? If so please provide your contact information below.

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_  
Professional Affiliation, if appropriate: \_\_\_\_\_

Thank you for your cooperation. The information you have provided will help us to determine the level of support a new farmers market will have in the community. It will also help us to develop a farmers market best suited to the community's interests.

Please complete this survey no later than \_\_\_\_\_ and drop in the Farmers Market Drop Box placed in the following convenient locations:

Source:  
"Guide to Developing a Community Farmers Market", Farmers Market Federation of New York, NYS Department of Agriculture & Markets, revised 2009.

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## Sample Survey for Local Businesses

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A new farmers' market is being proposed for \_\_\_\_\_. We are trying to assess the level of interest in the community for a farmers market. Providing answers to these questions will help gather information and build a market that best serves the community.

1. A farmers market has a proven spillover effect into the community, with customers visiting and spending money at various other local businesses in conjunction with their visit to the farmers market. The goal is to build a farmers market that would benefit the local residents within the community, provide access to fresh foods, encourage entrepreneurship, and build community pride. Would you support a farmers market in our community?
  - Yes, a market would be good for the community
  - Yes, and I would like to participate as a vendor in the market. My product would be:  
\_\_\_\_\_
  - Yes, and I would like to assist in co-promoting the market along with my business.
  - Yes, and I would like to assist by sponsoring entertainment or educational activities at the market
  - No, I do not feel that I can support a farmers market at this time. Please explain:
  
2. What days of the week do you feel would be the best day to offer a farmers market in the community?
  - Monday
  - Tuesday
  - Wednesday
  - Thursday
  - Friday
  - Saturday
  - Sunday
  
3. The best time of the day for a farmers market would be?
  - Mornings
  - Afternoons
  - Mornings and afternoons
  - Evenings

4. What types of products would you like to have offered at a farmers' market?

- |  |  |
|--|--|
| <input type="checkbox"/> Fresh, local vegetables | <input type="checkbox"/> Homemade baked goods  |
| <input type="checkbox"/> Fresh, local fruits     | <input type="checkbox"/> NYS wines   |
| <input type="checkbox"/> Eggs                    | <input type="checkbox"/> Homemade jams and jellies and other locally processed foods |
| <input type="checkbox"/> Cheese                  | <input type="checkbox"/> Ethnic foods, specify: _____                                |
| <input type="checkbox"/> Maple syrup             | _____  |
| <input type="checkbox"/> Bedding Plants          | _____  |
| <input type="checkbox"/> Fresh cut flowers       | <input type="checkbox"/> Other, specify : _____                                      |
| <input type="checkbox"/> Fresh herbs             | _____  |
| <input type="checkbox"/> Meats                   | _____  |
| <input type="checkbox"/> Organic produce         | _____  |
| <input type="checkbox"/> Crafts                  |  |

5. Do you have any suggestions that you would like to offer the committee planning the new farmers market to ensure its success in meeting the needs of the community?

6. Would you like to be involved in the planning process for a new farmers market? If so, please include your contact information below.

Name: \_\_\_\_\_  
Business Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Telephone: \_\_\_\_\_  
Email: \_\_\_\_\_

Thank you for your cooperation. The information you have provided us will help us to determine the level of support a new farmers' market has in the community. It will also help us to develop a farmers' market best suited to the community's wants and needs.

Please complete this survey no later than \_\_\_\_\_ and return to:

Source:  
"Guide to Developing a Community Farmers Market", Farmers Market Federation of New York, NYS Department of Agriculture & Markets, revised 2009.

# Oregon Small Farms Technical Report



## A Learning Approach to Strengthening Farmers' Markets

By Larry Lev and Garry Stephenson  
Oregon State University

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Oregon Small Farms  
Technical Report Number 5

August 2002

Oregon State University Extension Service



OREGON STATE UNIVERSITY  
EXTENSION SERVICE

# A Learning Approach to Strengthening Farmers' Markets

Presented at  
Food Distribution Research Society 2001 Annual Meeting

## Larry Lev

Agricultural and Resource Economics  
Oregon State University

## Garry Stephenson

Extension Small Farms Program  
Benton, Lane & Linn Counties  
Oregon State University

*The dot research method is very valuable. First and foremost the process is fun and engaging for both the volunteers and our customers. Our survey results are currently posted in the market every week in front of our volunteer booth. Each week people stop and read the results, then share how we could use this information to build a stronger market in our neighborhood. The process is so simple that we are continuing to do the dot survey in the market this year.*

Suzanne Briggs, Hollywood Farmers' Market

## **Introduction**

Farmers' markets play a significant and expanding role in ensuring the viability of America's small farms and the vitality of its towns. Although their importance in the food distribution system is growing, they are poorly understood. At the local level, most farmers' markets lack the resources, the information and the skill that they need to document their role in the community and to plan for the future.

This research and extension effort has three objectives:

- ❖ Provide markets with the essential information they need to improve their operations.
- ❖ Develop research methods for conducting quantitative and qualitative research in farmers' markets.
- ❖ Provide managers and board members with opportunities to critically examine each other's markets, develop their own analytical skills and establish a mutually reinforcing network of individuals who share information and insights.

The three objectives are interrelated – we focused initially on the first objective, established the second objective as a way to achieve the first, and later added the third to make the whole effort sustainable. We have taken to calling the combination of methods a Rapid Market Assessment (RMA) and have conducted eight RMA studies in the last two years.

## ***The Value of Information***

In a world in which Wal-Mart has real time data on all of its operations, farmers' markets remain at the other end of the information spectrum. In most instances, the markets serve as a meeting ground of independent business and collect no information beyond the number of vendors and the stall fees paid. Yet there is much that it would be

valuable for these markets to know to help their vendors serve their customers and to help the market gain public and business community support.

As a starting point we considered standard data collection approaches for filling this information gap. We concluded that on the shelf approaches did not fill our needs:

- ❖ Random mail or phone surveys are inadequately targeted and expensive;
- ❖ In-market interviews suffer from small sample size;
- ❖ Mail-back surveys handed out in the market have very low response rate.

So we set out to develop our own methods that would be quick, inexpensive, and reliable. As a final and most ambitious goal, we wanted to develop a way of collecting information that would add to rather than detract from market atmosphere.

### ***Act 1: Quantitative Data Collection Methods***

Designing an approach to collecting market attendance information simply required developing a standardized. In our approach we carefully determine all possible entry points and then minimize the manpower requirements by counting for only ten minutes at the mid point of every hour and multiplying those counts by six to get an hourly average. This approach provides a reasonable estimate for attendance and has helped markets to better understand how their markets vary both within a season and between seasons. Nothing fancy, but it has proven very helpful to provide a single standardized approach.

To address the spending and other data collection needs we developed the dot survey approach (Lev and Stephenson 1999). It consists of constructing close-ended questions (we typically ask four carefully crafted questions per market) that are displayed on posters at a central location in the market. Shoppers are invited to answer the questions “self-service” by using stick-on “dots” (round, colorful labels). It takes participants one or two minutes to answer all four questions and go on their way (although some choose to stay and discuss the research).

Before discussing the advantages of the approach and some results, it is useful to consider three concerns. First, are participants influenced by prior answers (which are all visible)? For most questions, this simply is not an issue – where do you live, how much did you spend, even how old are you are not questions for which the participant really cares how others have responded. In fact in our experience, the response rate on difficult questions like age are higher than through other survey approaches because it is clear to the respondent that anonymity is preserved. Nonetheless several strategies can be employed to reduce this “influence” concern. We generally “seed” the posters with scattered dots and later remove these seeded dots. On certain occasions, we have removed the posters at regular intervals so that participants can place their dots with less prior information.

A second major concern with the approach is that only a few close-ended questions can be asked. This is certainly the biggest drawback and should not be underestimated. But it does force the market to focus on what information is most important and ensures that all the data gets analyzed in a timely fashion. In addition because this is a low cost approach, it is feasible (and preferable) for the market to collect information on multiple occasions.

A third concern with the approach is the difficulty (but not impossibility) of conducting cross tabs on the data. Ordinarily you do not know how answers to question 1

are related to answers to question 2. It is possible to code the dots so that this information is available.

In our view the advantages of dot surveys in farmers' markets far outweigh the disadvantages. The approach is extraordinarily simple and inexpensive. The transparency of the research process (everyone sees everything) turns out to be one of the most appreciated aspects of the approach. It makes the research interactive rather extractive. Participants often stop back later in the market to see how the responses are shaping up. In our experience this data-gathering approach really does add to rather than detract from the overall atmosphere of the market.

This is a high volume research approach. Using it we have had as many as 900 participants in 5 hours (180 per hour). When using the approach we have kept careful records and have documented that 90% of the consumers that we approach are willing to participate in the surveys. This compares very favorably with response rates for all other survey methods. The superior quality of the sample should improve the accuracy of the data collected (Salant and Dillman 1994). We also have specifically asked consumers whether "they prefer this approach or more traditional written surveys" and 94% favor the dots.

The results can be quickly tabulated. For a Saturday market we typically provide the answers back to the market board on Monday morning. Finally as mentioned above, it is quite feasible to repeat questions and thereby have greater confidence in results.

The information obtained has been eye opening and quite useful to the markets we have studied. We always let the market studied select the question – our statewide effort suffers a bit by not having the same questions always asked but the gain in relevance to the specific market more than makes up for this. Here are three examples of the information collected with comments on why the information was useful (Lev and Stephenson, unpublished data).

**“Was the Farmers' market your primary reason for coming downtown this morning?”**

	<b>Corvallis Saturday</b>	<b>Albany Saturday</b>
<b>Yes</b>	78%	88%
<b>No</b>	12%	8%
<b>Partially</b>	10%	5%

Many downtown business communities are lukewarm supporters of farmers' markets. One reason is that they don't believe that markets really attract people downtown. In conjunction with the attendance counts, this question provides some data to address on that concern.

**“Will you be doing additional shopping in this area on this trip? If yes how much do you anticipate spending?”**

<b>Market</b>	<b>% Doing Add. Shopping</b>	<b>Average Amount Spent</b>
Albany (1998 average)	38%	\$4.32
Corvallis (1998 average)	63%	\$10.13
Hollywood District (2000)	47%	\$8.98

This second question examines whether the people attracted to the market actually do any shopping at neighboring businesses. The extent of spillover sales depends on the attractiveness of the adjoining businesses (downtown Corvallis district has more to offer than downtown Albany). In several markets, we have found that spillover sales have been as high as 80% of in-market sales.

**"What stopped you from buying more at the market today?"**

	<b>Corvallis Saturday</b>	<b>Corvallis Wednesday</b>	<b>Hollywood District</b>
<b>Nothing else wanted</b>	<b>67%</b>	<b>60%</b>	<b>55%</b>
<b>Couldn't carry more</b>	<b>13%</b>	<b>11%</b>	<b>17%</b>
<b>Out of money</b>	<b>10%</b>	<b>14%</b>	<b>14%</b>
<b>Prices too high</b>	<b>6%</b>	<b>8%</b>	<b>5%</b>
<b>Ran out of time</b>	<b>4%</b>	<b>7%</b>	<b>8%</b>

This question was prompted by repeated comments by some dot survey participants that prices in farmers markets are “too high”. The question assesses whether price or other factors really do constrain sales. The results are remarkably similar across markets and the overall conclusion is clear – for most consumers prices do surface as a major factor limiting their purchases.

The markets have used the information collected in a variety of ways:

- ❖ Attendance counts and market sales:
  - Demonstrate to community leaders the value and popularity that residents place on markets;
  - Provide potential vendors with market size information.
- ❖ Drawing power of market and spillover sales:
  - Quantify for community leaders the broader economic impact of markets;
  - Demonstrate to neighboring businesses the value that the market can provide to them.
- ❖ Where customers live, why they come to the market and what stops them from making additional purchases:
  - Assist market boards in allocating their budget (advertising, entertainment etc.);
  - Assist vendors in selecting and pricing their products.

### ***Act Two: Rapid Market Assessments***

Act one was useful and productive. We studied several markets and distributed widely both the results and the explanation of the research methods used. While we hoped that other markets would be inspired to go out and replicate the methods (and a few did) the more common result was that the other markets simply made use of these initial results with the comment that their own market was “sort of the same”. Most managers viewed the data collection as too great a hurdle.

So we refocused our attention on developing a way to better encourage the spread of the methods. One idea that surfaced was to enlist market managers as data collectors outside of their own markets. What better way to learn than by actually doing? But then we thought once we have put the time and effort in transporting the managers, there should be a better means for taking advantage of both their expertise and their eagerness to learn about market management. Bit by bit we moved towards a *participatory action research (PAR)* model in which the practitioners (market managers) were fully involved in the research process (Whyte 1991).

We developed a system of recruiting teams of four or five managers or board members from markets around the state and bringing them together to study a market on a specific day. Part of what they do is to collect the quantitative information detailed above. But they also conduct a qualitative assessment of the market. This qualitative process follows a precise set of steps.

The night before the market all of the team members gather and have dinner with the market manager and market board. The manager and the board provide a bit of market history and current situation and we have them focus on a particular issue of how they define success and where they want the market to be in five years time. The dinner provides context and sets up relationships for the next day.

At the market, the team members learn firsthand how to conduct the attendance counts and the dot survey. Once they have experience how simple and effective these methods are, they are much more likely to use them in their own markets. The team members are also given a series of three worksheets (physical setting of the market, vendors and products, and market atmosphere) to complete over the course of the market. The assignment really seems to capture their interest and involvement. Each person brings a fresh set of eyes to the task and notices different things. They are encouraged to do whatever it takes to become experts on this market – follow shoppers around, talk to them, watch vendors, and explore the neighborhood. At the end of the market we get together for a debriefing of both the qualitative and quantitative research activities. During the debriefing we talk about their main observations as well and suggestions about how to improve the research process.

Within two days of the study, the quantitative results are emailed to the studied market and the RMA team members. It is very useful to be able to provide this information quickly. The process of collating the qualitative reports is more time consuming. All of the market worksheets are typed and then one of the researchers takes on the job of compressing the five or six different reports into a single short report that follows the format of the three worksheets and has separate sections for what the observers appreciated about the market and what they either had questions about or suggestions for improving. This report is also distributed by email. After the distribution of the reports, a conference call is scheduled to discuss the top three to five issues to

come out of the overall process. As an example, here are the five issues that were selected for the Hood River market this past year:

- What would be the advantages and disadvantages of reorganizing the Hood River market so that all of the agricultural producers are grouped in one section, all the prepared food vendors in another section and all the craft vendors in a third section?
- What advantages would seating near the music and prepared food provide to the market. Is on-site storage one requirement for making this feasible?
- How can the market encourage improved vendor display and signage?
- What can be done to improve links with tourism? Is cross-marketing possible?
- Any further ideas for how to attract market volunteers in a small community such as Hood River?

### *Summary*

Overall the RMA process is exhilarating and empowering. All of the involved markets gain new insights and ideas through this two-way learning process. The markets studied have received detailed quantitative and qualitative information on important issues. The RMA team members are better connected, more analytical, and more confident about conducting research in their own markets. Based on their experience of really studying another market, they go back to their own markets full of new management ideas and options.

*My experience with the assessment project was wonderful; both as a team participant in Ashland and having a team visit our Wednesday market. The information and insights were wonderful. It was time well spent and enjoyable, even in the middle of a busy market season! What a good way to meet my peers. Sometimes I feel isolated (even though I am surrounded by vendors, customers and board members!). No one really understands like another market manager. It is great to work with such a sharing, caring, dedicated bunch of folks!*

Dianne Stefani-Ruff, Portland Farmers' Market

### **References**

- Lev, L. and G. Stephenson. Dot Posters: A Practical Alternative to Written Questionnaires and Oral Interviews." *Electronic Journal of Extension* Vol. 37 #5 (1999). Available at <http://joe.org/joe/1999october/tt1.html>.
- Lev, L. and Garry Stephenson. Unpublished data and reports are available from the author ([larry.s.lev@orst.edu](mailto:larry.s.lev@orst.edu))
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Special Report 1088-E

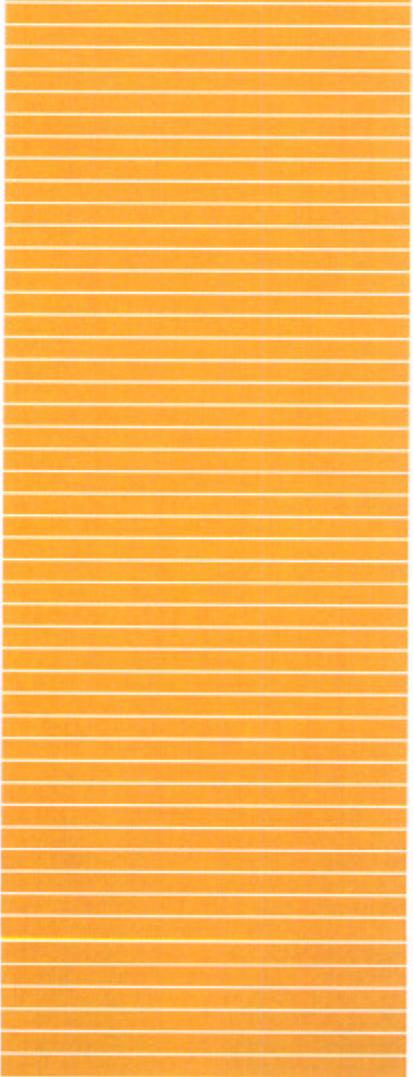
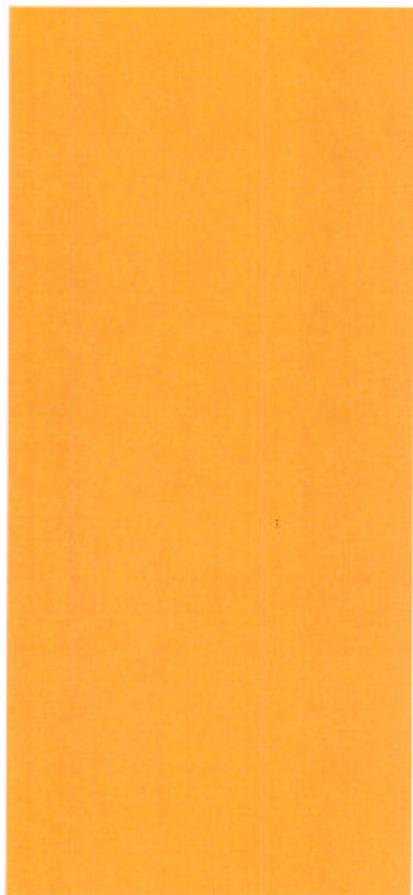
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# Tools for Rapid Market Assessments





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# Tools for Rapid Market Assessments

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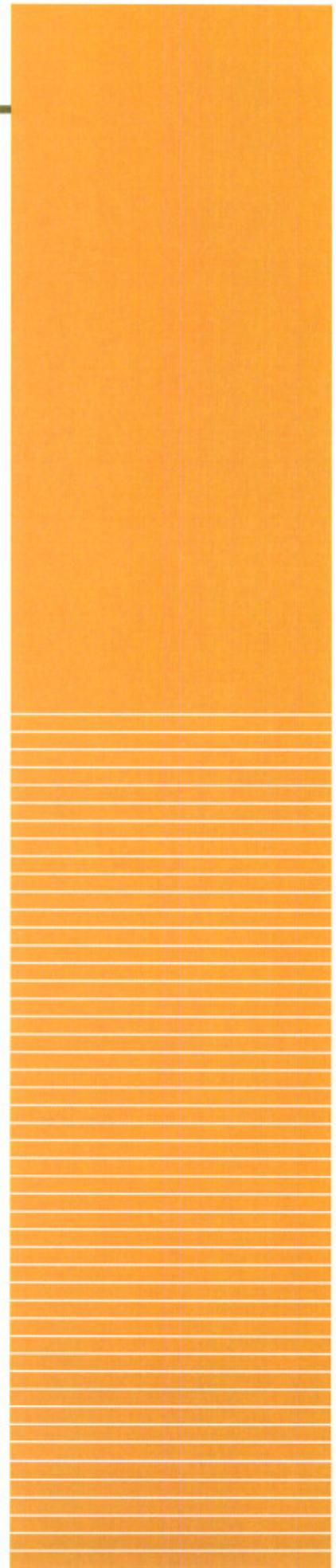
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**Photo credits:** All photos are by the authors.

This publication represents the sixth update and revision of the original manual. The techniques described were developed and adapted for use in farmers' markets beginning in 1998 and were first presented in two publications by Lev and Stephenson:

*Analyzing Three Farmers' Markets in Corvallis and Albany, Oregon*, Oregon State University Small Farms Technical Report Number 2 (October 1998).  
<http://smallfarms.oregonstate.edu/sites/default/files/publications/techreports/TechReport2.pdf>

*Dot Posters: A Practical Alternative to Written Questions and Oral Interviews*, Journal of Extension (October 1999).  
<http://www.joe.org/joe/1999october/tt1.html>





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## Tools for Rapid Market Assessments

**M**ost farmers' markets lack information to make effective changes and improvements. We have designed three simple, low-cost methods to address the information gaps.

The first two—attendance counts and dot surveys—are quantitative and can be used independently by markets.

The third method is the more complete Rapid Market Assessment (RMA), which combines the two quantitative methods and a qualitative method called Constructive Comments and Observations (CCO). An RMA is a collaborative learning process in which a team of market managers and others study a host market in another area. The learning is two-way: both the host market and the visiting RMA team members gain knowledge and experience. The RMA team members—through new collaborative relationships with their peers—learn the data-gathering methods and how to examine their own markets more analytically.

All three methods make efficient use of time and money, which are generally in short supply.

### Attendance counts

Knowing how many people shop at a market is valuable information few markets collect. Attendance counts allow vendors to estimate their sales. Markets can document their role as social centers and estimate spillover sales for neighboring businesses.

Because most markets have multiple entry points, an accurate attendance estimate requires both planning and personnel. Although greater accuracy would be achieved by counting everyone entering the market, that approach is quite labor intensive. However, counting all who enter the market during a specified 20-minute period each hour requires a much-reduced time commitment and provides an accurate estimate. Also acceptable, but somewhat less accurate, is a 10-minute count. When the count is part of an RMA, team members are available for other RMA activities during the balance of the hour.

Estimating market attendance without a formal process is difficult.





Entering shoppers are counted for 10 or 20 minutes.

Also, the 20-minute and 10-minute periods are more easily staffed than when a count is taken throughout the market's duration.

### Who is counted and when

Collecting the data requires clear communication and cooperation. Key elements for an accurate counting process are:

- Counting only adults
- Not counting shoppers re-entering (ideally, counters recognize those re-entering)
- Making counting periods consistent. For markets that open on the hour (such as 9 a.m.), the count should take place every hour from 20 minutes after the hour to 40 minutes after and from 25 minutes after to 35 minutes after for a 10-minute count.

### Organizing the counting process

- Tally counters, available at stationery stores, provide easy and accurate counts.
- Determine all market entrances; manager input may be valuable. In some cases, one person can count people coming in through multiple entrances.
- Some shoppers enter the market between booths rather than through established entrances. Because it is important that these shoppers are counted only once, count takers must agree on boundaries between their "zones of responsibility."
- At each entrance, determine an exact line where people are considered to have entered the market. It is important to establish this for accurate counts.
- Multiplying the 20-minute per hour totals by 3 or the 10-minute per hour totals by 6 provides hourly estimates. The sum of the hourly estimates provides a market attendance estimate for that date.
- **Whenever attendance estimates are published, it should be made clear that they are for a specific day. Seasonality, weather, and other factors have a significant influence on attendance.**

### Dot surveys

A Dot Survey is a simple but effective data collection method in which a limited number of questions are posted on easels and consumers indicate their responses using colorful, stick-on labels ("dots").

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Conducting consumer research in farmers' markets presents significant challenges. Face-to-face interviews and written questionnaires have poor accuracy and response rates. The Dot Survey approach significantly increases both the number of consumers surveyed and the percentage who agree to participate. Consequently, this approach provides more accurate assessments of consumer preference and behavior. It also is well liked by customers and therefore adds to the market atmosphere.

While many markets choose to collect attendance data regularly throughout the season, Dot Surveys take much more effort and, if done too frequently, can fatigue shoppers. Many markets conduct a single Dot Survey per season. Few will conduct more than three surveys. As discussed in greater detail below, Dot Surveys ask many fewer questions than a traditional survey. Markets must focus on essential, "need to know" questions rather than on "nice to know" questions.

This survey technique allows respondents to see how others have responded and to feel included in the research process. One concern is whether or not some respondents may be influenced by what they observe on the posters. This is very unlikely for the majority of questions, such as, "Where do you live?" Still, it is important to be sensitive to this possibility when crafting the survey questions and answers.

**These two steps will reduce the potential bias:**

- "Seed" posters with randomly placed dots (removed later) so that the crowd is not influenced by previous answers.
- Replace the poster sheets with fresh sheets at intervals throughout the day. Fresh posters reduce access to prior information and allow the data to be analyzed by time period. As the posters are removed, note the portion of the market day the data represents, e.g., "early" or "late."

Dot Posters are quick, easy and fun for respondents.



## **Eight steps to successful market research using dot posters**

### **1. Identify information needs and carefully craft up to four closed-ended, multiple-choice questions.**

- Develop questions with the market manager and/or market board to address their most urgent concerns.
- Each question should be clear and succinct. The number of answers should be as few as possible while still providing the information needed. Respondent comprehension is the priority.
- One poster may accommodate two closely related questions. Example: "Will you be doing any additional shopping or eating in the downtown district this morning? If yes, indicate how much you anticipate spending."
- In general, consumers are willing to answer four questions; more questions may reduce the response rate. Each additional question also increases the space needed in the market to conduct the research.
- Questions that have been successfully used as dot posters are listed at the end of this article in Appendix A.

### **2. Prepare the dot posters.**

- Write each question at the top of a large flipchart sheet. Legibility is critical. Print very clearly or paste large-font, typed questions on the flipchart sheet.
- Define the answers and place them in a horizontal line across the top and bottom of the sheet.
- Divide the answer scale with vertical lines extending the length of the sheet. When dividing the space, recognize that while it is preferable to divide the space evenly so that space allocation does not influence responses, it is often necessary to allot more space to more frequent responses. For example, when asking, "How much did you spend?" respondents will answer \$10, \$20, and \$30 more often than \$60, \$80, or \$100.

- For quantitative questions the lines between answers can serve as additional responses. For example, the line between \$20 and \$30 represents \$25. **Note, however, that *within* a column all the responses are treated as the same value.**
- Ordering the answers for subjective questions is less clear-cut. There is no logical order for the answers to the question, "Why did you come to the market today?" Also, respondents cannot split their votes between two-category combinations. Note: a few respondents will tear dots in half to split their vote.

### 3. Prepare sufficient color-coding labels or dots.

- The 3/4-inch self-stick dot is easiest to handle; however, the 1/2-inch dots fill less space on the posters. In a crowded market, using the 3/4 inch dots will require changing the posters more frequently.
- Cut the dot strips into pieces with the number needed, **providing exactly one dot per question.** Because as many as five respondents per minute will be placing dots on posters, it is important to keep the task as simple as possible.
- If possible, use just one dot color to reduce confusion and unwarranted conclusions about the significance of colors.
- You can change the dot color at a set time during the market day to determine if early shoppers respond differently than later shoppers. (As mentioned above, changing to a fresh poster sheet provides the same opportunity.)

### 4. Position the dot posters in the market.

- Confer with the market manager in advance to understand traffic patterns through the market.

Note concrete block in photo lower right. This market is situated in the Columbia Gorge, famous for windsurfing.

Be prepared for the effect of wind on the posters. Canopies can provide rain protection.



Dot posters become a center of interest.



If possible, select a high-traffic site that does not interfere with sales of surrounding vendors.

- Set up the flip charts in a row.
- Use your institution's signage to identify yourself to the public. A canopy will blend into market culture and provide protection from rain and sun.
- **Be prepared for wind and rain on the easels.** Large binder clips and tape will eliminate blowing paper. In very windy sites, concrete blocks or other weights may be necessary to stabilize the easels.

#### 5. Actively recruit participants.

- **Most people will not participate without a direct, personal invitation to do so.**
- Limit respondents to one set of dots per "shopping group." A shopping group is a group of adults who are shopping together and managing their money in common. The shopping group concept is particularly important for questions about purchases, both inside the market and at surrounding businesses.
- From scripted comments, explain the market research, and ask for a minute or two of the participant's time. **Be brief!** Examples of introductory lines: "Do you have just a minute to help the market?" or, "Have you had a chance to do the dots?" People tend to associate the word "survey" with something more time-consuming; avoid its use.
- Distribute strips of dots to willing participants. Our university prohibits distribution of dots directly to minors, although parents can instruct children to place their dots. Offer to place dots for customers whose hands are full. The loss of anonymity does not appear to effect participation.

#### 6. Be prepared to provide guidance on the process, as needed.

- Most shoppers have not participated in this type of data collection before. It is important that each

---

member of the interview team be familiar with the process and able to answer questions.

- Instruct participants to **place only one dot per poster** “where it makes sense.” Team members must monitor the posters. Gently stop participants who are placing more than one dot on a poster. Some will miss a poster and have an extra dot; they may need help determining which poster was missed. **It is important that team members monitor the posters and supervise dot placement. In crowded markets with many shoppers, it is advisable to have a team member dedicated to this task.**
- The question, “How much did you spend in the market today?” will be handled in various ways by participants. While it is best to poll shoppers as they leave the market, that isn’t always possible. Some will save a dot and return after shopping. The dots are removable; shoppers can return and move a dot if their actual spending differs from the initial estimate.
- **Encourage participants to indicate their actual expenditures on the day of the survey, rather than what they “usually” spend at the market.** Markets vary week by week; consumer spending is a reflection of what is in season. The survey is a snapshot of a specific market day rather than an indicator of average shopping practices.
- **Setting out unsupervised, “self-serve” dot posters will yield few responses and unreliable data.** This attempt to reduce personnel is not a good idea.

7. **Invite the local newspaper or “weekly shopper” to write an article about the dot posters and the contribution of customers to market decision-making.** The visual nature of dot posters appeals to news photographers. See page 12 for an expanded discussion of this opportunity to gain publicity.

## 8. Analyze and interpret the data.

- Data analysis is simple and straightforward. **Be sure to double-check all counts and calculations as you proceed.**
- Remove the “seed” dots you may have placed to reduce bias.
- Count the dots assigned to each answer.
- To ensure count accuracy, (1) leave a small mark on each dot as it is counted and (2) have a second person repeat the count. Don’t worry if the counts differ by five or less. If they differ by more, recount.
- Although each question should have the same total number of responses, they will not. In all surveys, some respondents fail to answer a question. Conversely, some will have used two dots for one question. It’s not possible to make corrections during data analysis. The variation in responses will be small if posters were effectively monitored over the course of the market. Tables 1, 2, and 3 in Appendix B show dot-poster results from the same market on the same day. They illustrate acceptable response variation.
- Compute response counts as percentages of total poster responses. These initial quantitative data can be further analyzed. For example, calculating mean spending per shopping group or total spending per time segment may be of interest to a market manager. Have someone check your calculations. Tables 1 and 2 in Appendix B show responses as percentages of total responses. Table 3 shows a typical distribution for consumer spending.
- The sampling unit in this technique is the “shopping group,” not the individual (although some shopping groups will be individuals). The average shopping group size varies by market and is best determined by asking a dot-poster question. We have found the average shopping group size to be 1.6 to 2.0 people for most markets.

- **To determine total spending in the market for the survey day:**

- Divide the market count by the average shopping group size to estimate the number of shopping groups.
- Multiply the number of shopping groups by the average purchase amount.
- Recognize that an estimated market total based on the simple market count would result in a significant overestimation of market sales.



Carefully train RMA team members.

- Analysis of identical or similar questions across markets may be undertaken to compare and contrast locations.
- **Be careful not to “go beyond the data” in your interpretation of the results. Always be clear that the results are for a single market day on a specific date. It is inappropriate to assume that the data from a single day represents what takes place over an entire market season.** Counts, average spending, and total sales are sensitive to influences such as weather, sports events, and crop seasonality.
- Examples of results are provided in Appendix B.

### **The Rapid Market Assessment process: Recruiting teams and Constructive Comments and Observations (CCO)**

As mentioned earlier, in an RMA, a small group of outside market managers or others study a host market, which benefits from the insights provided by “fresh” eyes. The RMA team members benefit from relationships and learning with their peers. They begin to view and analyze their own markets in new ways.

The RMA consists of market counts, dot posters, and a third research technique, Constructive Comments and Observations (CCO). Whereas attendance counts and dot surveys can be



Touring the market site the night before an RMA

stand-alone exercises undertaken by individual markets, a CCO is a part of a complete RMA.

The RMA process requires intense participation by the team members on the day of the study. For a morning market, they may travel to the market the night before or early on market day, conduct the study components, hand in their worksheets, and participate in a phone debriefing several weeks later.

After the RMA, the host market receives an attendance count, dot-survey results and a report that focuses on market strengths and suggested changes and improvements. **The RMA process should not, however, be regarded as a comprehensive market assessment or evaluation.**

**Here is a six-step RMA process, which focuses on the requirements for the CCO portion:**

1. Recruiting team members

- Form ad-hoc teams of a minimum of 4 to 5 managers or board members from markets around the state. The teams will evaluate a specific market on a specific date and collect qualitative and quantitative information. Markets drawing over 5,000 customers require larger teams.
- If possible, in advance collect and share with team members whatever market information is available. This might include the market's history, reasons for being, and changes in day, time, site, and manager.
- For morning markets, a pre-market dinner the evening before for the team and the host market's manager and board encourages relationship building. Additional market history, current situation, and goals for the next 5 years are shared at this time.

2. Market day responsibilities

- On market day, team members are responsible for three things:
  - Attendance counts
  - Dot surveys
  - Completing a CCO sheet based on their observations of the market

Sometimes a fourth element is added—interviews with community and business leaders on their market interactions.

- 
- The team leader establishes a schedule to ensure that each member has a chance to participate in all activities and that the RMA is completed. The leader also confirms that team members are engaged in the activities as scheduled and collects market attendance data throughout the study.

### 3. Completing the CCO worksheet

- Team members' constructive comments and observations focus on three major themes.
  - **Physical characteristics of the market site:** access, flow of people and traffic, liability issues, and organization
  - **Vendor and products:** product mix, product quality, signage, display, and customer service. Although in busy markets it may not be feasible, it is useful to interact with vendors.
  - **Market atmosphere:** the "feel" of the market, shopper demographics, interactions and conversations, and educational and community activities
- Team members record their comments on the worksheet, noting what is effective in the market and what could be changed or improved. Also, team members are encouraged to record observations of ideas they will apply in their own markets. They are instructed to observe shoppers, listen to conversations, initiate conversations, and investigate the neighborhood to find out how the market operates.
- Team members often find it useful to spend 20 or 30 minutes "shadowing" the market manager. This provides an additional insight into differences between the host market and their own markets.
- As they complete their process of observation, members review their worksheets and select:
  - Three to five key suggestions or comments for the host manager
  - Key ideas or observations they will take to their own markets
  - Observations that should be excluded from the public report

Debriefing after  
the market.



4. The RMA team should use the research to generate goodwill for the market in its home community and with the vendors.
  - The dot poster technique is visual, and the RMA participants have the mystique of “experts from afar.” Consider inviting a reporter from the local newspaper to the market for photos and interviews with RMA participants or the market manager. The goodwill generated by favorable press exposure can be valuable in influencing the attitude of local retailers and politicians. Vendors benefit from the exposure.
  - For vendors, prepare an informational half-sheet handout explaining the RMA process and including the list of dot-poster questions. Emphasize that the RMA is conducted at the request and with the input of the market board and manager. Invite the vendors to visit the RMA team and view the dot posters.
5. End-of-market activities
  - At the end of the market, the team debriefs for a short time by posting and discussing key comments from their individual worksheets on flipchart sheets. Invite the host manager to participate.
6. Report writing
  - The collated report combines the comments of team members. No attempt is made to provide a single view of the market; individuals may submit conflicting comments. Nor is there a separate report for each participant. The guarantee of anonymity reduces the potential for tension between team members and the host market.
  - Distribute attendance counts and dot-survey reports to the host market and to the team members within 3 or 4 days of the RMA study. **This rapid turnaround is a key strength of the research process.**
  - The compiled CCO is distributed within 2 weeks of the RMA. At the end of the RMA report, three to five suggested discussion questions are presented.
  - A phone debriefing is arranged for the RMA team members and the host market manager. The discussion questions form the focus for the conference call. The debriefing looks at major issues rather than touching on everything that occurred during the RMA.

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## Appendix A: Questions used successfully at farmers' markets

### Spending and pricing questions.

How much have you (or will you) spend in the Farmers' Market this morning?

Do you plan on doing additional shopping or eating downtown this morning? If yes, how much do you anticipate spending?

On average, if a specific item costs \$1 in the grocery store, how much would you be willing to pay in the farmers' market for a similar product produced locally?

Has shopping at this farmers' market caused you to shop at neighboring businesses and restaurants more often?

### How markets attract customers. How markets can improve.

Was the Farmers' Market your primary reason for coming downtown this morning?

What is your primary reason for coming to the market today: agricultural products, the atmosphere, prepared foods or crafts?

What products would you buy if they were sold in the market? *[Must provide options.]*

What **one change** would you recommend to improve this market? *[Must provide a restricted number of potential changes.]*

If pastured poultry were sold in this market on a weekly basis would you change the frequency of your visits to the market?

### Geographic pull of the market, interactions with other markets, and distribution channels for local products.

Where do you live? *[Answer indicated by county or city, or zip code in urban areas.]*

What stopped you from buying more at the market today?

This summer, what will be your primary source of purchased locally produced agricultural products?

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**Market attendance questions.**

How often do you shop at this market? *[Either a specific number or categories.]*

What market advertising, if any, influences your attendance at this market?

How did you find out about the market? *[Include an "old-timer" category to separate those who have shopped at the market for more than 2 years.]*

How long have you shopped at this market? *[Include an "old-timer" category to separate those who have shopped at the market for more than 2 years.]*

How did you travel to the market?

How far do you live from the market?

How long have you shopped here?

What other area markets have you shopped this season (select all that apply)?

What area markets did you shop last season (select all that apply)?

How would different hours affect your market attendance?

How would a different day affect your market attendance?

How would a different location affect your market attendance?

**Miscellaneous.**

What do you prefer—answering a written questionnaire or using **dots** (this technique) to answer questions?

When you have a choice between organic and non-organic produce at the farmers' market, which do you choose?

This year, have you encouraged anyone to shop at this farmers' market? If **yes**, what was your one main selling point?

What is the most important factor you use when choosing among competing products in this market?

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## Appendix B: Data analysis examples

**Table 1. To increase your spending, the market should offer more (choose only one).  
Number of respondents = 535.**

Product	Number	%
Organic produce	240	45
Cheese	150	28
Prepared food	75	14
Meat	43	8
Poultry	27	5

**Table 2. Would you shop at a Thursday 3–8 PM market in a downtown location? Number of respondents = 578.**

Response	Number	%
Yes, frequently	194	34
Yes, once in a while	171	30
Probably not	115	20
No, never	69	12
I don't know	29	5

**Table 3. How much have you—or will you—spend at the Farmers' Market today? Number of respondents = 557.**

<b>Amount Spent</b>	<b>Number</b>	<b>%</b>
\$0.00	11	2
\$2.50	0	0
\$5.00	61	11
\$7.50	1	0
\$10.00	123	22
\$12.50	2	0
\$15.00	106	19
\$20.00	145	26
\$25.00	6	1
\$30.00	61	11
\$40.00	28	5
\$50.00	1	0
\$60.00	6	1
(More) \$100.00	6	1

Lines between columns were \$2.50, \$7.50, \$12.50, and \$25.

Average spending for the market per shopping group was \$18.34.

35% of the shoppers spent \$10 or less.

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### How should we choose a location for a market?

First, choosing your site might depend on what is available to you and how much it will cost to use it. Can you find a private landowner that will allow you to use their property or will you have to pay for a permit for public property? As you're looking at sites, here are some things to keep in mind:

**Accessibility:** Look for a site in a central location with plenty of through traffic, and that's easy to get to by all modes of transportation. Try to find a place by a well known landmark or intersection or near offices or other businesses.

**Space:** You want to find a location that can accommodate the space needs for the number of vendors you will have and/or hope to grow to in the future, while leaving space for shoppers to easily circulate through the market and stop and socialize with one another. Here is how Carla Jenkins of [Cedar Park Farmers Market](#) calculates her spacing needs: "I allow width for farmers' trucks (18') + their canopy (10') + an isle (15') + canopy (10') + another isle (15') + canopy (10') + truck (18'). All of that is my width, times the number of 10' booths for my length to figure the square footage needed."

**Parking:** If you expect many of your customers to be driving to the market, is there enough parking available close by? Suzanne Santos from [Sustainable Food Center's Farmers Market](#) in Austin, Texas says to plan on a minimum of 500 spaces for a four hour market that has 4,000-6,000 shoppers. If you can find a location with free parking nearby, even better!

**Utilities:** A site with access to electricity, water, public restrooms, and a place for people to wash their hands will all be things to consider when choosing a site.

**Ground Cover:** Try to find a site with a level surface on asphalt with minimum standing water and pot holes. That will make it easier for vendors to drive their trucks without risking damage, and provide a safe shopping experience for customers.

**Long-Term Availability:** Opening a market in one place only to move the next season when the site owner sells or redevelops the property is a frustrating, but not uncommon, experience for farmers markets. You can help avoid this by requesting a long-term lease.

For more information on what to look for in the ideal market location, look at Matthew Peters' paper on [Locating Farmers Markets](#). You can also use his [Site Selection Tool](#) to compare multiple potential sites for your market. You should also consider what the New Mexico Farmers' Marketing Association says about [finding the right market site](#).

Finally, when reviewing potential sites, consider whether there are any federal buildings in your community that could be good locations for a market based on the criteria above. If there are, check out the USDA's resource for [Opening a Farmers Market on Federal Property](#).



### Finding the Right Farmers' Market Site

Open-air markets are like theaters, magically transforming a portion of the community into a harvest celebration. Farmers' markets reside at many different types of locations: closed streets, empty parking lots, city plazas, county fairgrounds, city parks and more. Creating these temporary "stages" can entail labor-intense challenges to assure that the markets are safe and attractive.

#### Site Considerations

You may not hit every bullet point, but some important considerations are:

- • Safe and convenient pedestrian access from surrounding residential neighborhoods in all directions
- • Adjoins local streets with moderate traffic volumes that can accommodate farm truck arrivals & departures
- • Quiet, safe site - not adjoining a major arterial
- • Consistently available for the market through out the season-- moving a market for one day loses sales
- • Consistently available for multi-year usage --again, moving a market disrupts business
- • Multiple entry/exit points into site for farm vehicles
- • Close-by parking lots for customers
- • Convenient to ATM
- • Within or adjoining a commercial district; convenient to other retail activity
- • Convenient, but not adjacent, to bus routes (noise)
- • Easy access/view from arterial streets
- • Level and durable surface
- • Good drainage - no standing water
- • Accessible to water and electric, if possible
- • On-site storage
- • Public restrooms or space for portable restrooms
- • Bike Racks
- • Grey Water Disposal
- • Other appreciated improvements - shade, landscaping, open-air pavilions, stage, benches and cafe tables



[Alaska Statutes.](#)

[Title 19.](#) Highways and Ferries

[Chapter 25.](#) Protection and Use of State Highways and Roads

Section 105. Limitations of Outdoor Advertising Signs, Displays, and Devices.

previous: [Section 100.](#) Rural Signs. [Repealed, Sec. 14 Ch 155 SLA 1970].

next: [Section 110.](#) - 19.25.120I Removal of Nonconforming Advertising; Neglect or Refusal to Obey Removal Order. [Repealed, Sec. 43 Ch 85 SLA 1988].

## **AS 19.25.105. Limitations of Outdoor Advertising Signs, Displays, and Devices.**

**(a)** Outdoor advertising may not be erected or maintained within 660 feet of the nearest edge of the right-of-way and visible from the main-traveled way of the interstate, primary, or secondary highways in this state except the following:

**(1)** directional and other official signs and notices which include, but are not limited to, signs and notices pertaining to natural wonders, scenic and historic attractions, which are required or authorized by law, and which shall conform to federal standards for interstate and primary systems;

**(2)** signs, displays, and devices advertising the sale or lease of property upon which they are located or advertising activities conducted on the property;

**(3)** signs determined by the state, subject to concurrence of the United States Department of Transportation, to be landmark signs, including signs on farm structures, or natural surfaces, of historic or artistic significance, the preservation of which would be consistent with the provisions of this chapter;

**(4)** directional signs and notices pertaining to schools;

**(5)** advertising on bus benches or bus shelters, and adjacent trash receptacles, if the state determines that the advertising conforms to local, state, and federal standards for interstate and primary highways.

**(6)** [Repealed, Sec. 4 1998 Ballot Measure No. 5].

**(b)** [Repealed, Sec. 21 ch 94 SLA 1980].

**(c)** Outdoor advertising may not be erected or maintained beyond 660 feet of the nearest edge of the right-of-way of the main traveled way of the interstate, primary, or secondary highways in this state with the purpose of their message being read from that travel way except those outdoor advertising signs, displays, or devices allowed under (a) of this section.

**(d)** Outdoor advertising may not be erected or maintained within the right-of-way of an interstate, primary, or secondary highway except that outdoor advertising

**(1)** on bus benches and bus shelters, and adjacent trash receptacles, located within the right-of-way under the authority of a permit issued under AS [19.25.200](#) is allowed if the bus benches or bus shelters are located within a borough or unified municipality and the buses that stop at that location operate during the entire year; or

(2) present in the right-of-way on January 1, 2005, may remain, subject only to removals required by federal highway funding requirements imposed on the state by federal law, until or unless an encroachment permit for the outdoor advertising is denied under AS [19.25.200](#) (c).  
(e) [Repealed, Sec. 4 1998 Ballot Measure No. 5].

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**Note to HTML Version:**

This version of the Alaska Statutes is current through December, 2007. The Alaska Statutes were automatically converted to HTML from a plain text format. Every effort has been made to ensure their accuracy, but this cannot be guaranteed. *If it is critical that the precise terms of the Alaska Statutes be known, it is recommended that more formal sources be consulted.* For statutes adopted after the effective date of these statutes, see, [Alaska State Legislature](#) If any errors are found, please e-mail Touch N' Go systems at [E-mail](#). We hope you find this information useful.

 This page has been updated: 01/05/2009 15:59:46



SAMUEL MOSENKIS  
Vice President of Legal Affairs

April 28, 2010

Laura Conroy  
Hillsboro Farmers' Market  
Marketing Director  
232 NE Lincoln St Ste J  
Hillsboro, OR 97124-3048

VIA EMAIL (manager@hillsboromarkets.org)

Dear Ms. Conroy:

I am responding to your most recent e-mail regarding an ASCAP license for public performances made at the Hillsboro Farmers' Market and Hillsboro Tuesday Marketplace. Specifically, you request a legal basis for ASCAP's licensing in order to clarify conflicting information that has been posted to various farmers' market listservs regarding ASCAP and its licensing of users of music such as the Hillsboro Markets. The basis for ASCAP's licensing public performances is summarized below.

The current U.S. copyright law, codified in 1976 as Title 17 of the U.S. Code (the "Act"), sets out a number of separate rights afforded to copyright owners, including, as is relevant here, the right "to perform the copyrighted work publicly" 17 U.S.C §106(4). An analysis of whether particular performances of copyrighted musical works are within the scope of the public performance right granted by Section 106(4) of the Act must begin with the language of the statute itself. Congress specifically defined each of the terms "perform" and "publicly" in Section 101 of the Act as follows:

To "perform" a work means to recite, render, play, dance or act it...."

To perform ... a work "publicly" means –

(1) to perform ... it at a place open to the public or at any place where a substantial number of persons outside of a normal circle of a family and its social acquaintances is gathered; or

(2) to transmit or otherwise communicate a performance . . . of the work to a place specified by clause (1) or to the public, by means of any device or process....

Ms. Laura Conroy  
April 28, 2010

By virtue of these clear definitions in the Act, the playing of copyrighted music at a place open to the public - such as a farmers' market - would require permission from the copyright owner, unless specifically exempted by the Act as discussed below. Liability attaches whether such performances are made by live performers, mechanically through CDs/MP3s, or via transmission, such as through radio or television broadcasts.

Since the seminal Supreme Court case regarding the performances of music occurring in a restaurant, Herbert v. Shanley Co., 242 U.S. 591 (1917), courts have routinely applied this law to myriad types of users employing live or mechanical music including, for example, bars, restaurants, cabarets, private clubs, skating rinks, retail stores, radio broadcasters, and markets. *See, e.g.* Chappel & Co. v. Middletown Farmers Market & Auction Co., 334 F.2d 303 (1964).

Moreover, in the case of live performances, liability attaches regardless of whether the musicians are paid to perform, Cass County Music Co. v. Vineyard Country Golf Corp., 605 F.Supp. 1536 (D. Mass. 1985), or are instructed specifically to not play copyrighted music. Chess Music, Inc. v. Sipe, 442 F.Supp. 1184 (D. Minn. 1977).

Finally, the fact that the user may be organized as a not-for-profit entity is irrelevant; the Act does not make such differentiations. Many not-for-profit entities are engaged in activities which include performances of copyrighted music -- private and state universities, cities and other governmental bodies, festival organizers, promoters of serious music concerts and dance schools, to name just a few. According to the drafters of Section 106(4), the right of public performance "is not limited by any 'for profit' requirement. The approach of the bill ... is first to state the public performance right in broad terms, and then to provide specific exemptions for educational and other nonprofit uses." H. Rep. No. 94-1476, 94th Cong., 2nd Sess. 62 (1976); reprinted in 1976 U.S. Code Cong. & Admin. News, 5676. The House Judiciary Committee explained the rationale for the broadened right of public performance:

The line between commercial and "nonprofit" organizations is increasingly difficult to draw. Many "nonprofit" organizations are highly subsidized and capable of paying royalties, and the widespread public exploitation of copyrighted works by public broadcasters and other noncommercial organizations is likely to grow. In addition to these trends, it is worth noting that performances and displays are continuing to supplant markets for printed copies and that in the future a broad "not for profit" exemption could not only hurt authors but could dry up their incentive to write.

Id. at 62-63.

Accordingly, there is no general exemption from liability under the law for not-for-profit entities.

Ms. Laura Conroy  
April 28, 2010

If specific performances of copyrighted music are to be exempt from copyright liability, they must fall within the parameters of the specific limited statutory exemptions set forth in Section 110 of the Act. None of those specific exemptions apply to general farmers' markets. The only relevant exemption is found in Section 110(4), the limited "catch-all" exemption that applies to purely noncommercial performances. However, the obviously commercial nature of ordinary farmers' *markets* such as Hillsboro's would negate the application of that exemption.

The musical performances at the Hillsboro Farmers' Market and Hillsboro Tuesday Marketplace - both live and mechanical - are therefore clearly "public performances" under the Act. And as discussed, no exemption under Section 110 would apply. Accordingly, a public performance license is required to avoid liability for copyright infringement under the Act. A user may negotiate such license directly with the copyright owner. However, considering the difficulties and inefficiencies of negotiating separately, in advance, with countless copyright owners, users routinely enter into license agreements with ASCAP to cover all the millions of works in ASCAP's repertory. ASCAP, as a result, has developed dozens of various licenses that are specifically tailored to meet the needs of different types of uses and venues. The retail license offered to the Hillsboro markets is one such license. The cabaret license to which you referred is another form of license offered to cabarets and bars. ASCAP, however, does not offer a general "nonprofit" license, but rather offers special rates under certain licenses for specific noncommercial uses. The retail license does not have such a noncommercial option.

Please let me know if you have any further questions. Otherwise, please contact Mr. Russ McGuire to finalize the license.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sam Mosenkis', with a long horizontal flourish extending to the right.

Sam Mosenkis

cc: Russ McGuire



## How to Start a Farmers Market

Velma Lakins  
Agricultural Marketing Specialist

Marketing Services Program  
Agricultural Marketing Service  
U.S. Department of Agriculture

May 2, 2007

# Definition and Benefits of a Farmers Market



**Definition:** A common facility or area where several farmers or growers gather on a regular, recurring basis to sell a variety of fresh fruits and vegetables and other locally-grown farm products directly to consumers.

## **Benefits for Small/Medium-Sized Farm Operators:**

Direct access to consumers at farmers markets provides an important supplemental source of farm income for many growers.

**Benefits for Consumers:** Farmers markets allow consumers to have access to locally grown, farm-fresh produce and the opportunity to personally interact with the farmer who grows the produce.

**Benefits for the Community:** Many urban communities where fresh, nutritious foods are scarce gain easier access to food through farmers market operations.

# Starting a Farmers Market



1. Characteristics of a Farmers Market
2. Create a Sponsoring Organization
3. Identify a Location
4. Market Signage
5. Identify a Market Manager
6. Identify and Recruit Farmers
7. Establish By-Laws
8. Adopt and Enforce Rules and Regulations
9. Food Safety for Prepared Foods
10. Vendor Stall Arrangements
11. Create a Budget
12. Determine Fee Structure

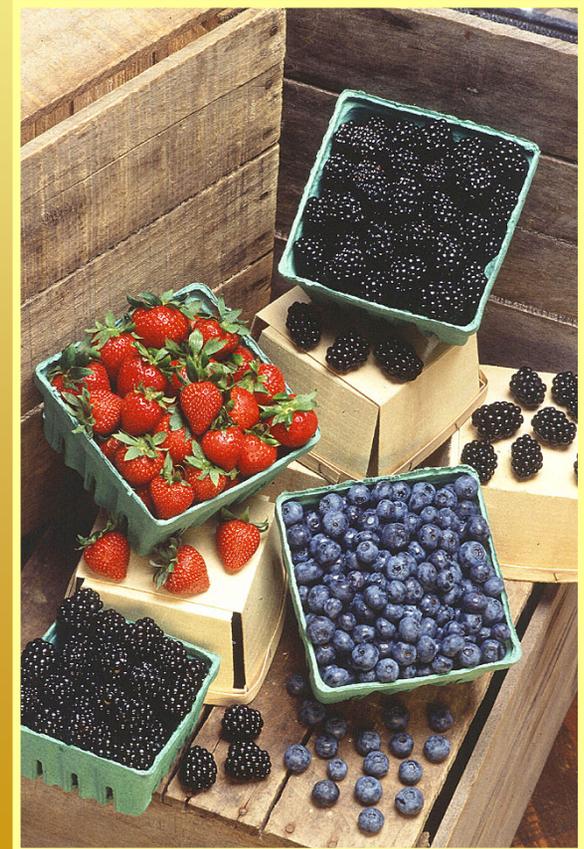


# Characteristics of a Farmers Market



## Examples of farmers market characteristics to consider:

- Pedestrian oriented
- Community oriented
- Variety of vendors
- Local flavor
- Ample vendors with plentiful supply
- Easy destination for customer to get to
- Simple parking



# Create a Sponsoring Organization



## Assemble a group of dedicated stakeholders to:

- Discuss objectives and goals of the planned farmers market facility
- Establish a governing body
- Develop by-laws and operating rules and regulations
- Create a mission statement
- Set goals

# Create a Sponsoring Organization Mission Statement and Goal Setting



## Mission statement should:

- Provide an impression of the direction the market is heading
- Be concise
- Market provides valuable products or needed services

## Goal setting should describe:

- Expected achievements
- Items to be marketed
- Who will be involved
- Expected earnings

## Goals can be prioritized using timeframes.

Short-term = 1-5 years

Intermediate = 5-10 years

Long-term = 10+ years

# Identify a Location

## Determining a Successful Market Location



### Site Selection Criteria To Consider:

- Access to near-by major roadway
- Access for farmer's vehicles
- Location visible and identifiable
- Convenience – easy to find
- Clean and attractive location
- Reliable location
- Shade, natural or manmade
- Solid waste disposal
- Restrooms for the public

# Identify a Location

## Determining a Successful Market Location



### Examples of good locations include:

- Shopping centers and malls
- Blocked off street connecting local businesses
- Outdoor spaces or parking lots affiliated with religious institutions
- State and Federal building parking lots (for weekend markets)
- Downtown “plaza” areas
- Public parks



# Market Signage



## Example for signage:

- Keep signage simple easy to read and understandable
- Provide only key information
- Keep it local and visible



# Identify a Market Manager



## A market manager is responsible for:

- Acting as main contact person for market
- Overseeing day-to-day market operations
- Collecting user fees
- Obtaining proper permits and insurance for market
- Enforcing rules and regulations
- Recruiting vendors
- Controlling vendor and product mix
- Handling complaints and disputes
- Working with market's board of directors
- Establishing strong community contacts

# Identify and Recruit Farmers



## Sources for finding farmers/participants:

- County extension agents
- Cooperative Extension departments at local land-grant universities
- Farmers market associations
- State Department of Agriculture
- Word of mouth

# Establish By-laws



## What is the purpose of By-laws?

- Describe and define responsibilities of directors and officers
- Define the purpose, locations, and hours of operation of the market
- Define membership, dues, and fees
- Describe election procedures
- Define amendment process

# Adopt and Enforce Rules and Regulations



## Questions/concerns that may arise regarding specific guidelines include:

- Should sales at the market be limited to fresh fruits and vegetables or should processed and dried goods, or farm related crafts, be allowed?
- How many participants can the market accommodate or is there ample space for all of those that desire to participate?
- Are licenses and permits required to sell certain commodities at the market, processed foods certifications for any value-added vegetable or fruit items?
- Will the geographic region that the market draws on for suppliers be restricted in any way (e.g., by number of participating counties)?
- If a market is located on city property, will the city allow hot food items or “closed alcoholic containers” to be sold on the market?

# Food Safety for Prepared Foods



## Prepared Food Safety:

- Check with local Health Department for required permits and rules
- Some market locations require permits to sell ready-to-eat foods
- Pre-package foods must be label with ingredients
- A fee may be associated with obtaining the permit
- Foods prepared in a home kitchen sometimes may not be sold at markets. Foods and beverages must be from an approved source.
- Foods must be stored and displayed at proper temperatures
- Equipment and utensils require proper sanitation
- Some market locations are requiring a hand washing sink

# Vendor Stall Arrangements

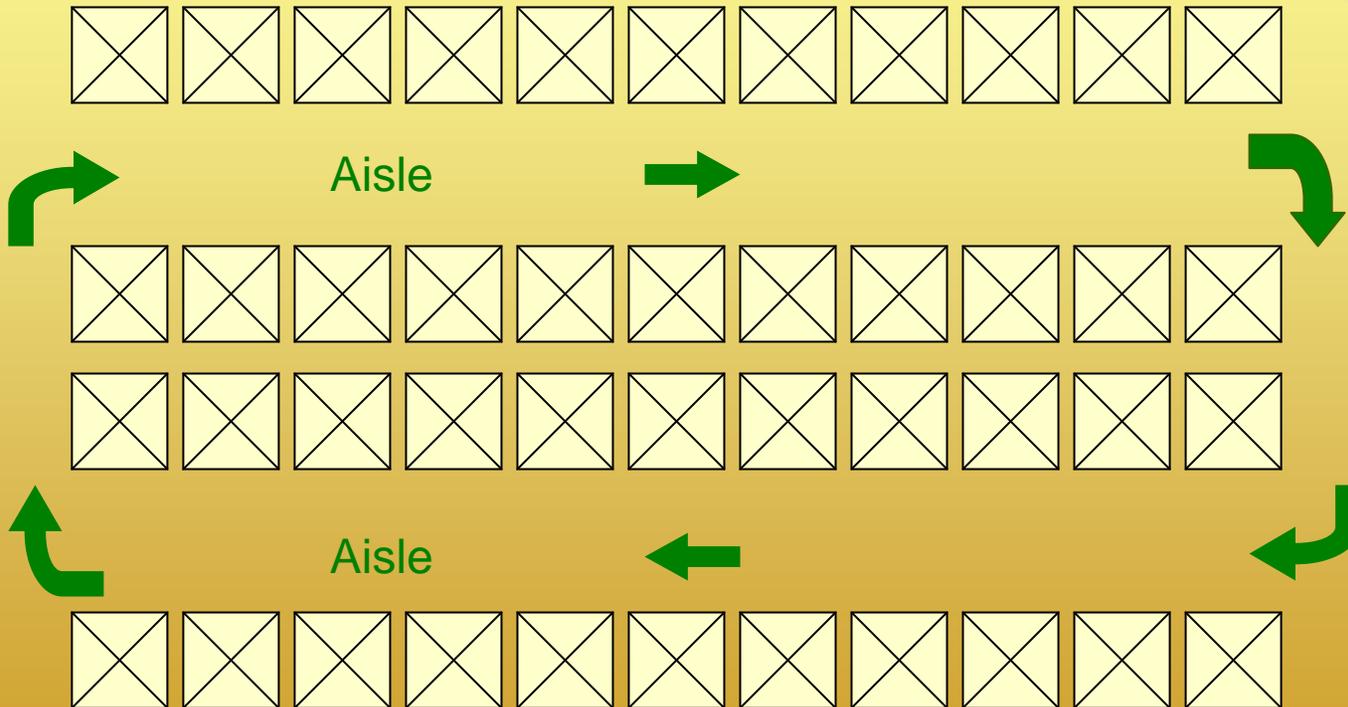


## The Basics:

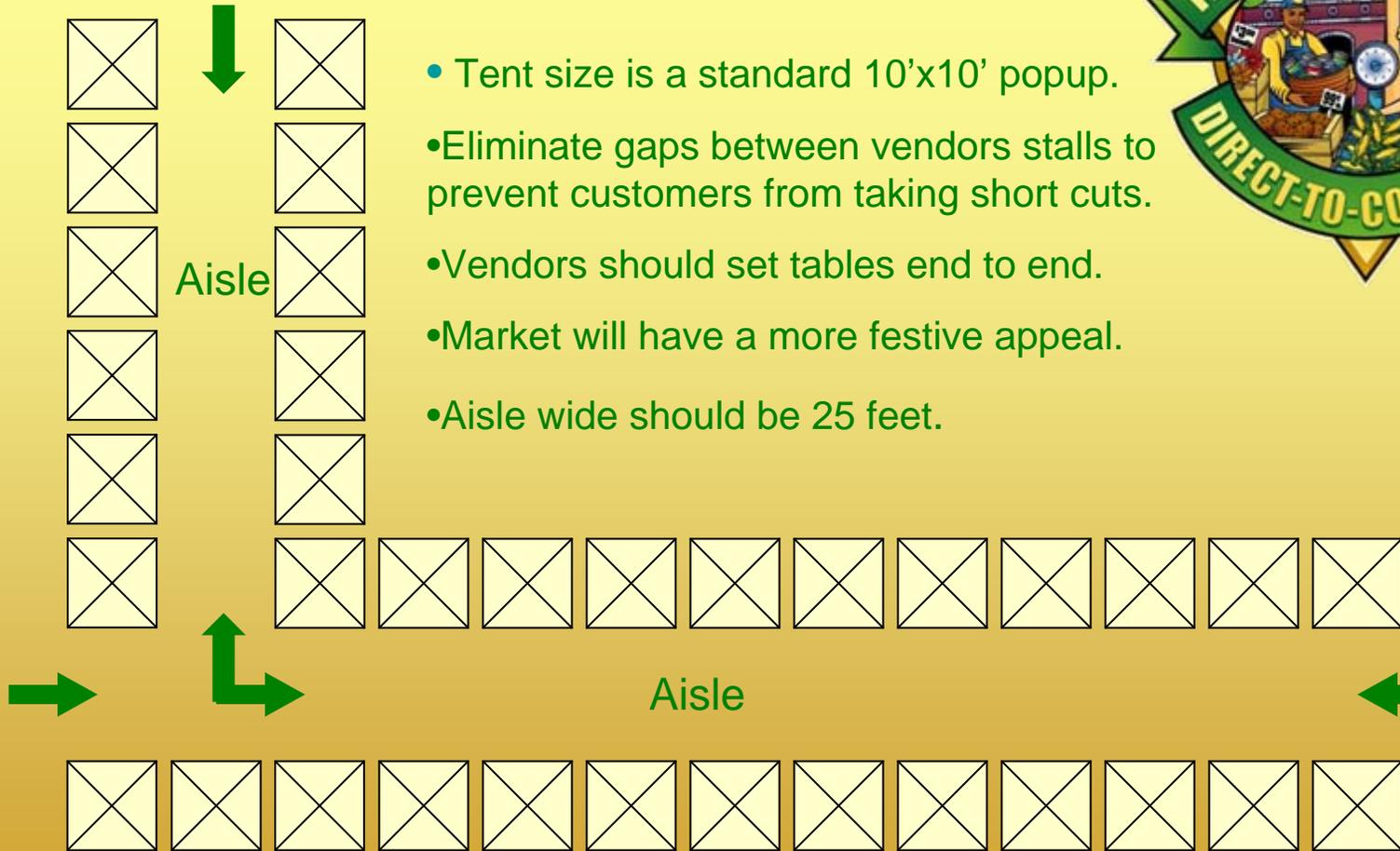
- Establish a basic size for a vendor's stall
- Tent size is a standard 10x10' popup
- Group the market layout in as compact manner as possible
- Avoid scattered pattern
- Minimize, where possible the amount of walking distance for customers from their autos
- Arrange stalls for an attractive visual effect
- Establish rules for vendors
- Identify who is allowed to sell at the market
- Establish vendor mix, farmers' good, value added products, prepared foods, flowers, etc

# Vendor Stall Arrangements

Using this concept all vendors have equal exposure for displaying and selling products.



# Vendor Stall Arrangements



- Tent size is a standard 10'x10' popup.
- Eliminate gaps between vendors stalls to prevent customers from taking short cuts.
- Vendors should set tables end to end.
- Market will have a more festive appeal.
- Aisle wide should be 25 feet.

# Create a Budget



## Annual Expenses Associated with Maintaining a Farmers Market include:

- Insurance
- Permits
- Advertising
- Salaries

## Determine Fee Structure

- Fees collected from participating vendors are a primary source of income for farmers markets.
- Fees determine the market manager's salary, market advertising, and amount of maintenance and improvements to the market site.
- Fees should be based on profitability
- Fees may be based on a percentage of daily gross sales or on a seasonal/annual basis.



# Determine Fee Structure

## Stakeholders Can Contribute to Success



**Stakeholders can also contribute to the establishment of a successful farmers market if they:**

- “Do their homework” and thoroughly evaluate local market conditions
- Leverage available resources in the community
- Hire strong, capable management
- Set appropriate market standards
- Develop a realistic budget and fee structure
- Arrange for a reliable and steady supply of quality farm product
- Pay sufficient attention to market publicity and community relations

# Summary



- Take care of your customers
- Be flexible about change in consumer demands
- Market image is essential
- Consistency of operation is vital
- Strive for improvement of your market operation
- Be creative and implement new ideas



# Understanding the Link Between Farmers' Market Size and Management Organization



**Garry Stephenson, Larry Lev, and Linda Brewer**

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Cover: Garry Stephenson, Department of Crop and Soil Science

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# UNDERSTANDING THE LINK BETWEEN FARMERS' MARKET SIZE AND MANAGEMENT ORGANIZATION

Farmers' markets are valuable market channels for small farmers and important venues for the economic, nutritional, and social lives of communities. Efforts to make farmers' markets sustainable should focus on two influences on markets: external (related to public policy) and internal (related to market management). Well-crafted public policy is needed to enhance the prosperity and longevity of farmers' markets. At the same time, improving the management of farmers' markets by identifying and resolving their internal issues is another way to improve market sustainability. This report addresses the latter.

This report examines the relationship between the size of individual farmers' markets and the set of management tools used by farmers' markets. The analysis reveals farmers' markets will benefit from using the specific set of management tools and resources appropriate for the size of the market. A market must also recognize that it must plan ahead and put in place the appropriate management tools and resources that will allow it to handle the increasing management complexity that accompanies growth. Overall, understanding the link between management structures and market size will enhance the success of individual farmers' markets and save some from serious problems.

## Methods

The information presented here is one segment of a larger research project that examined farmers' market viability in the Pacific Northwest (Stephenson, Lev, and Brewer 2006a). The data were collected between 2002 and 2005. Both quantitative and qualitative research methods were used, including a survey questionnaire administered by telephone, interviews, focus groups, and a project advisory committee consisting of market managers.

To obtain information from a full season of operation from individual farmers' markets, the survey questionnaire focused on the 53 farmers' markets operating in Oregon during 2002 that had operated during the 2001 season. The questionnaire explored market fee structures, sources of revenue, market site amenities, typical products, and common management structures. Fifty of the 53 eligible farmers' markets participated in the survey. This 94 percent response rate strengthens the validity of a research study drawn from a numerically small population.

Following a preliminary analysis of the quantitative and qualitative data, six focus groups of farmers' market managers were organized and conducted on a regional basis. A total of 29 managers participated, representing 33 farmers' markets. The focus groups provided a two-way exchange of information between researchers and practitioners and added vital data to the project. A final step involved using the project advisory committee to review and critique the research findings.

Quantitative data from the survey questionnaire were organized and analyzed using Statistical Package for the Social Sciences (SPSS) version 11.5. Statistical analysis was conducted with consultative support from the Survey Research Center at Oregon State University.

Information is presented here in three sections. The first section, “Farmers’ Market Management and Organization,” summarizes some of the research literature associated with farmers’ market management and organization. The second section, “A Summary of Key Findings,” provides a brief summary of this research to facilitate a more complete understanding of the information as the report unfolds. The third section, “Market Size Categories and Organizational Structure,” presents details on the organizational structure of farmers’ markets relative to market size based on the data for Oregon farmers’ markets.

## **Farmers’ Market Management and Organization**

In their history and value of public markets, Spitzer and Baum (1995:67) point out that “Management generally is recognized as the critical determinant for achieving long run success with any public market.” A study of the organization of small farmers’ markets in Kansas concluded that there is “a strong need for organization within a market to ensure vendor satisfaction” (Hughes and Mattson 1992:5). Despite the obvious importance of management as a factor in successful farmers’ markets, there have been very few research studies on the topic.

An overview of farmers’ markets in Pennsylvania identifies four broad types of market organizational structures:

1. No organization among producers; farmers simply show up.
2. An arrangement with the owner of a private business. In this instance, producers are tenants and the owner makes all the rules.
3. Unofficial agreement among producers. The market is organized informally, but collects fees and uses guidelines. Producers are members of an “association” that is not legally organized or incorporated.
4. Official agreement among producers. This type of organization is a legal entity having secure legal and tax status (Center for Rural Pennsylvania 2002).

Most farmers’ markets in Oregon would fall into the structures described in numbers 3 and 4 above.

Central to the organization of a farmers’ market is the role of the manager. Neil Hamilton’s (2002) national overview of the legal aspects of farmers’ market management notes:

A key ingredient in the operation of a market...is the person who runs the market on a day-to-day basis. This job is the responsibility of the ‘market manager,’ a person designated by the market organizers to be responsible for making the operational decisions (p. 8).

Spitzer and Baum (1995:69–70) identified some key tasks required for a manager to successfully operate a public market include:

- Operations: Supervise other staff; manage operating budget, including accounts receivable (rent) and payable; enforce operating rules and procedures; maintain relations with adjacent business properties.
- Leasing: Rent space to vendors.
- Tenant assistance: Assist merchants with design and merchandising.
- Marketing promotions and public relations: Calendar of events; press releases; fund-raising events; relationships with community agencies, organizations, and local government.
- Capital improvements.
- Long-range planning: Assists organizers in long-range planning based on knowledge on-site.
- Reporting: Provides regular reports to organizers regarding all areas above and proposes policy changes.

In addition to the list above, Oregon farmers' market managers generated a short set of both major and mundane tasks they regularly perform during their markets:

- Market set up and dismantling
- Putting out signage
- Fee collection
- Publicity and public relations
- Equipment inventory and maintenance
- Staffing the market information booth
- Directing traffic
- Vendor recruitment
- Bookkeeping
- Obtaining sponsorships and organizing fundraisers
- Tax preparation
- Market safety
- Special event coordination

The responsibilities of a manager vary with the size of a market. According to Hamilton (2002:8),

If the farmers' market is a relatively small and informal one (such as six farmers in the church parking lot one afternoon a week), the market manager's job is not large. On the other hand, managing a farmers' market with hundreds of vendors and thousands of customers may be a full-time responsibility.

The number and intensity of the tasks outlined above will be related to the size of the market as well.

Along with the value of market organization and the important role of a manager, researchers see market rules as being at the heart of a well-managed

**Along with market organization and manager, researchers see market rules at the heart of a well-managed market.**

market. Again, Hamilton (2002) points out the necessity of having rules for governing the market:

It might be possible to operate a farmers' market without any form of written rules or policies for the vendors, but it would not be long before a market would face difficult issues.... The reason farmers' markets use rules and policies is to prevent problems...from arising" (p. 9).

Market rules have been related to the size of a farmers' market. A Florida study recommends: "The rules should conform to the situation at hand. Thus, the rules at a small, rural market need not be as specific as those at the larger markets" (Zimet et al. 1986:295). Further, "the degree to which there exist formal rules and regulations that govern the producer participants in a farmer retail vegetable market depends on the size of the market. Without good management/organization larger markets would fail" (Zimet et al. 1986:291).

## **A Summary of Key Findings**

This report includes a large amount of detailed information. For clarity, the key findings are briefly summarized here. Greater detail is provided in the third segment of this report.

Four market size categories were developed for analyzing market management structures. Discussed in detail below, the categories are: *Micro*, *Small*, *Medium*, and *Large*. In addition to assisting with the overall analysis of farmers' markets, these market size categories can be considered analogous to stages of organizational development and can represent what the future might look like for a growing market. For instance, a Small market that anticipates becoming a Medium market can plan for its growth based on the management tools that current Medium-size markets are using. In addition, it is important to have an organizational structure that is appropriate for the size of a market. A Small market with an organizational structure similar to that of a Large market may be wasting resources. A Large market with the organizational structure of a Small market, as one market manager stated, "will implode in a couple of years or sooner."

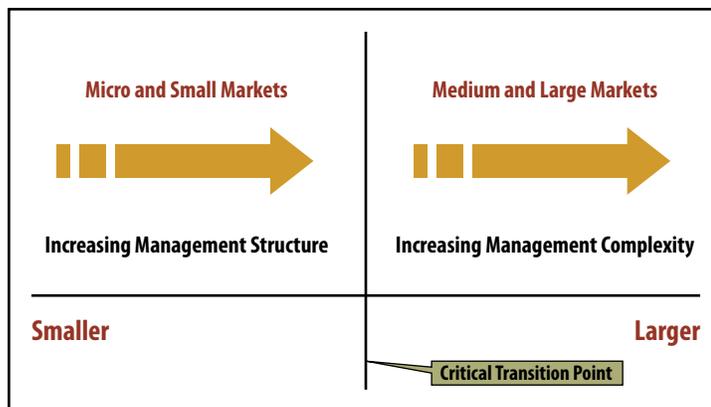
Here are some important findings concerning what management tools are used for markets of various sizes:

- Markets add management structure and management complexity as they increase in size.
- Each market size category uses a specific array of management tools. The use of management tools changes among market size categories. Knowledge of these changes will help markets plan for maintaining efficiency as they grow.
- There is a critical point for "smaller" markets as they transition to become "larger" markets. Specifically, this point occurs between what this research has identified as Small- and Medium-size markets. Markets must be prepared for this transition if they anticipate growing successfully beyond the Small market size.

- Micro and Small markets use more management tools, adding management structure as they grow. Tools would include site management tools, such as maps to assign spaces, and market governance tools, such as written rules and boards of directors.
- Because the management structure used by smaller-size markets is already in place for most Medium and Large markets, Medium and Large markets add management complexity as they increase in size. This complexity consists of planning for and acquiring a paid manager, additional employees and stable revenue to support them, as well as increased effort in the form of the number of hours worked in-season and off-season. Managers in these size categories perform more complex tasks; for example, budgeting and planning systems are more sophisticated.

Figure 1 helps illustrate this. Micro and Small markets add management structure as they grow. Medium and Large markets add management complexity as they grow. There is a critical transition point between Micro/Small markets and Medium/Large markets. Medium/Large markets should have appropriate management structure in place as well as the resources and planning for dealing with higher demands for paid labor and more hours worked in- and off-season.

**Figure 1. Market Size and Increasing Management Structure and Complexity**



Because this discussion addresses what is common to market management, rather than the best manner of operating, the conditions described may not represent the ideal. However, the knowledge of what operating guidelines other markets have instituted can guide strategic planning and resource allocation for new markets or for established markets confronting growth or other significant changes.

It is important to point out that problems do not occur simply because a market lacks a management structure to prevent or address problems. The management or organizational structure must be functional. For instance, having a board of directors does not make a market viable. Having an effective board of directors can, however, make a difference.

**Micro and Small markets add management structure... Medium and Large markets add management complexity.**

## Market Size Categories and Organizational Structure

### Market Size Categories

Market managers, vendors, board members, and researchers routinely refer to markets according to size categories. It is common during a conversation for a market to be referred to as “small,” “medium,” or “large.” Currently, there are no established definitions of market size, only general terms created to establish a framework for communicating about markets. Size categories are an important part of this research for comparative purposes, so considerable effort was directed toward creating workable categories. The categories were created using quantitative as well as qualitative data for guidance. The categories represent the total size of the market, including both farmers and craft vendors, if present. Table 1 presents the size categories Micro, Small, Medium, and Large, along with the number of vendors associated with each category, and the number and percent of markets in each category. These size categories are intended to be guidelines. The boundaries between categories should be seen as transitions rather than as hard divisions.

**Table 1. Size Categories of Oregon Farmers’ Markets<sup>1</sup>**

Category	Number of Markets	Percent of Markets
Micro (5–8 vendors)	8	16
Small (9–30 vendors)	20	40
Medium (31–55 vendors)	12	24
Large (56–90 vendors)	10	20
<b>Total</b>	<b>50</b>	<b>100</b>

<sup>1</sup>See notes on page 17.

Examination of market size categories is largely missing from the research literature. The few studies that have used categories have tended to use convenient numerical breaks rather than identifying boundaries based on quantitative and qualitative information. A national survey of farmers’ market managers conducted by the USDA in 1994 classified market size as 1–9, 10–19, 20–49, 50–99, 100–500, and more than 500 farmers (Burns and Johnson 1996). Oberholtzer and Grow (2003) surveyed 57 farmers’ market managers in the mid-Atlantic region of the U.S. (southeast Pennsylvania, Maryland, and Washington, DC). Here are the size categories they used for their analysis, with the percentage of markets falling into each category:

- 1–5 farmers (18.6 percent)
- 6–10 farmers (53.4 percent)
- 11–20 farmers (18.6 percent)
- 21–40 farmers (4.6 percent)
- 41 and more farmers (4.6 percent) (adapted from material on page 18)

These categories represent the number of farmers. A national survey of farmers’ markets conducted by the USDA in 2000 (Payne 2002) used these size categories: less than 10, 10–25, 26–50, and more than 50. These categories are fairly close to those used in this study and allow some comparison of Oregon to the national sample in the data analysis on the following page.

**A large market  
lacking a planned  
layout would be  
chaotic...**

## Management Tools

The manager survey used for this study included variables related to market structure and management complexity. The Project Advisory Committee generated a number of management methods or tools they felt would be associated with markets of different sizes. Other management tools, such as those related to manager effort and use of employees, were revealed in the data analysis. Below is a list of the tools used as variables in this analysis. They are only a small portion of the manager's tool kit, but they reveal important differences among markets related to size. The management tools cover several dimensions of market management. They are grouped as site management tools, market governance tools, and labor resource tools.

### Site management tools:

- Manager designs market layout.
- The positions of vendors' spaces are arranged to meet specific goals.
- Vendor spaces are assigned using a detailed map of the market site.

### Market governance tools:

- The market has written guidelines.
- The market has bylaws.
- The market has a board of directors.
- The board of directors has officers.
- The board of directors has committees.

### Labor resources tools:

- Manager compensation: managers are paid or are volunteers.
- The market uses additional employees.
- The number of hours the manager worked in-season
- The number of hours the manager worked off-season

Each management tool is discussed and examined here in relation to the market size categories.

## Site Management Tools

Many markets use a specific layout (bowling alley, horse shoe, circular, and so on) to arrange vendors. A plan for market layout can be as simple as a mental visualization or, when coupled with a site map as discussed here, it can be fairly detailed. Markets differ in their need to have a specific layout. Having few vendors, some Micro and Small markets arrange themselves very informally.

As markets increase in size, specifically designed layouts for markets are advantageous to enhance the flow of traffic and for other reasons. Although smaller markets vary as to whether their managers design a layout, the managers of all Medium and Large markets use a specific layout (Table 2, page 8). The decision concerning whether or not a layout is used for very small markets may reflect a manager's personality as much as it does the desire to

manage the market efficiently. A large market lacking a planned layout would be chaotic and would quickly create discord among vendors and confusion among customers.

**Table 2. Site Management Tools and Market Size**

Management Tool	Micro (5–8) n=8	Small (9–30) n=20	Medium (31–55) n=12	Large (56–90) n=10
Manager designs market layout <sup>2</sup>	75%	75%	100%	100%
Arrange vendors to meet goals <sup>3</sup>	50%	80%	100%	90%
Spaces assigned using a site map <sup>4</sup>	38%	65%	100%	100%

<sup>2-4</sup>See notes on page 17.

In addition to a layout plan to organize the market, managers arrange vendors to meet aesthetic and social goals including: keeping agricultural products visible at market entrances, enhancing traffic flow, keeping the market visually interesting, and reducing friction between specific vendors. Again, smaller markets are mixed as to whether they use or need to use this management tool, whereas Medium and Large markets virtually always use this tool (Table 2).

Another tool used by managers is a detailed site map with vendor spaces delineated. Prior to market day, a site map is used to assign specific vendors to specific spaces. Site maps correspond to markings created with chalk, traffic pylons, and paint at the market site on market day, identifying the spaces. Markets differ in their use of site maps according to the size of the market. Again, smaller markets may or may not use a detailed map to assign spaces, but all Medium and Large markets do (Table 2).

Two other studies have investigated how managers organize the market site. In a Kansas study of small farmers’ markets (Hughes and Mattson 1992), it was noted that of the eight markets that had some type of formalized organization, only two assigned stalls on a seasonal basis. All the other markets assigned stalls on a first-come, first-served basis. A survey of New Jersey farmers’ market managers (Govindasamy et al. 1998) revealed: “In order to assign the spaces available in the facility, different criteria were used. First come first served was the prevalent method and most markets tended to honor seniority.... Some markets, however, assigned spaces according to the size of the farmers’ operations or by lottery drawing” (p. 7).

With regard to positioning vendors to meet specific market goals, the same study indicated that 58 percent of managers did not take into consideration similarity of products when deciding whether to place vendors side by side. Only one manager stated that farmers’ personalities were taken into account when planning the market layout (Govindasamy et al. 1998). As described above, the overwhelming majority of Oregon farmers’ markets assign vendor spaces in advance and arrange vendors to meet specific market goals.

### Market Governance Tools

With the exception of some of the smallest markets, almost all markets use written rules to assist in managing the market (Table 3). According to market managers, market rules govern the day-to-day operations of a market. They

define what the market is trying to accomplish: how it appears, who sells, and what is sold. Rules also reflect government regulations regarding licensing, certification, and food handling. They are often written to provide checks on vendors who have attempted to circumvent established rules or because incidents have illuminated a weakness in previous rules.

**Table 3. Market Governance Tools and Market Size**

Management Tool	Micro (5–8) n=8	Small (9–30) n=20	Medium (31–55) n=12	Large (56–90) n=10
Written rules	63%	90%	100%	90%
Bylaws <sup>5</sup>	25%	50%	83%	80%
Board of directors <sup>6</sup>	25%	65%	92%	90%
Board of directors has officers <sup>7</sup>	0%	55%	92%	90%
Board of directors has committees <sup>8</sup>	0%	25%	59%	70%

<sup>5-8</sup>See notes on page 17.

Although the survey data did not reveal whether the complexity of market rules increase as markets increase in size, an interesting additional question for the survey would have been: “How many pages are your market rules?” Some markets have only a few photocopied pages that are provided to vendors. Other markets have extensive sets of rules. During the focus-group sessions, some managers revealed the size of their market rules. For instance, according to a manager of one Small and two Medium-size markets, “I try to stay on one 11 x 17 sheet. We’re at the limit. Margins and point size got smaller.” In contrast, an urban farmers’ market that manages three Medium- and Large-size markets publishes a 52-page Vendor Handbook as a guide for its vendors.

While most markets have written rules of some type, somewhat fewer have bylaws. Bylaws are generally associated with formal governance arrangements such as having a board of directors or being defined as a corporation. Bylaws set out the “rules” for how board members are selected, how officers are elected, and so forth. As markets grow in size, bylaws become more common (Table 3).

Boards of directors are another management structure strongly associated with market size. As markets grow, they add boards of directors. Table 3 again shows that smaller markets have a mixture of approaches, while the Medium and Large markets generally have boards of directors. The two larger markets (one Medium and one Large) that do not have boards of directors were both organized and/or operated by government or community entities (city government or downtown association). According to market managers, prior to having a formal board of directors, a market may use an informal advisory committee made up of vendors or, as one manager commented, a manager may use a “kitchen cabinet” of a few hand-selected vendors to offer input.

Boards of directors run a continuum from quite informal to very formal. They may simply be an advisory committee using the term “board of directors,” or they may be highly formalized boards that follow strict protocols. In addition, the role the board assumes differs from market to market. Some are very “hands on” or active, while others work exclusively in an advisory capacity.

**As markets grow in size, bylaws become more common.**

Some boards of directors govern via egalitarian or consensus approaches. As markets increase in size, they elect officers to manage specific tasks or provide leadership for a component of market management such as overseeing its financial condition. Of the 35 markets that have boards of directors, only the smaller markets do not have officers as part of their board structure (Table 3). Boards of directors and bylaws are required for markets that have the legal tax status of a “not-for-profit” organization in Oregon. Many markets, however, use these tools even though they do not have this status.

Very few studies have documented the use of boards of directors by farmers’ markets. Payne (2002) reports that 63 percent of farmers’ markets from a national sample use “vendor operated boards” (not defined) (Table 4). Payne’s data show that the use of boards is consistent across market sizes. In Oregon, 70 percent of markets use boards of directors. But in contrast to the national data, the use of boards is closely related to market size in Oregon, with smaller markets less likely to use one and larger markets more likely to use one.

**Table 4. Results of National Survey: Market Size and Vendor Boards**

Market Size Category	Use Vendor-Operated Board
Less than 10 farmers	62%
10–25 farmers	64%
26–50 farmers	60%
More than 50 farmers	61%

The addition of committees to boards adds another layer of organizational structure. Committees may be standing or ad hoc and generally indicate that there is a level of complexity in managing a market that requires tasks to be delegated to segments of the board. These tasks might include functions that were handled by a manager within the organization of a smaller market. The addition of committees to boards of directors is associated with larger markets (Table 3).

## Labor Resource Tools

### Manager Compensation and Market Size

A good starting point for examining the relationship of management complexity to market size is whether or not the manager is paid. Fourteen markets (28 percent) use volunteer managers and 36 markets (72 percent) use paid managers. Table 5 demonstrates a clear relationship between the size of markets and the status of the manager. Specifically, there are no Medium or Large markets managed by volunteers. The implication is that the management of markets of this size involves a level of time and effort beyond what volunteers are able or willing to commit. This relationship between the size of the market and volunteer management is noteworthy. Additional details on the relationship between volunteer managers and market distress are provided in *When Things Don’t Work: Some Insights into Why Farmers’ Markets Close* (Stephenson, Lev, and Brewer 2006b).

There is a strong relationship between market size and the use of employees.

**Table 5. Labor Resource Tools and Market Size**

Management Tool	Micro (5–8) n=8	Small (9–30) n=20	Medium (31–55) n=12	Large (56–90) n=10
Manager is volunteer <sup>9</sup>	55%	47%	0%	0%
Manager is paid <sup>10</sup>	45%	53%	100%	100%
Market uses additional employees <sup>11</sup>	0%	20%	92%	100%
Additional employee FTE per market (mean) <sup>12</sup>	0	0.10	0.54	0.80
Hours per week in-season per market (median) <sup>13</sup>	7.0	10.0	20.0	29.0
Hours per week off-season per market (median) <sup>14</sup>	2.0	3.0	10.5	15.5

<sup>9–14</sup>See notes on page 17.

A survey of New Jersey farmers’ market managers (Govindasamy et al. 1998) revealed that about 29 percent of managers are volunteers. The authors do not describe the scale of the markets in this study, nor do they associate market scale with any of the other variables they examined. Managers of farmers’ markets in the mid-Atlantic region (Oberholtzer and Grow 2003) revealed that about 44 percent are volunteer managers. Again, the use of volunteer or paid market managers was not examined by market scale. The Kansas study of small farmers’ markets (Hughes and Mattson 1992) indicated that three of the eight coordinators (38 percent) of organized markets were volunteers.

Payne’s (2002) national survey of farmers’ markets reports that 30 percent of all markets use paid managers. Of the markets with paid managers, 51 percent were full-time (15 percent of the total sample) and 49 percent were part-time (14 percent of the total sample). Payne (2002) did report a link between market size categories and both paid managers and with full- or part-time paid managers (Table 6). His data show that while only 18 percent of markets with fewer than 10 farmers use a paid manager, 71 percent of markets with more than 50 farmers employ a paid manager. In contrast, 28 percent of Oregon’s markets use a volunteer manager, and 72 percent use a paid manager. All Oregon markets with more than 30 vendors use a paid manager.

**Table 6. National Survey Results—Market Size and Full- and Part-Time Managers**

Market Size	Part-Time	Full-Time	Total
Less than 10 farmers	10%	8%	18%
10–25 farmers	10%	14%	24%
26–50 farmers	18%	20%	38%
More than 50 farmers	46%	25%	71%

Many markets use additional employees to assist in carrying out both general and highly specialized tasks. There is a strong relationship between market size and the use of employees. Micro and Small markets rarely hire additional paid employees (Table 5). Remember that volunteers manage many of these markets, and it would be unlikely for paid employees to be used under those circumstances. Conversely, virtually all Medium and Large markets used additional paid employees. Table 5 further shows that as markets increase in size, the total full-time equivalent (FTE) for all employees increases during the market season.

## Market Size and Manager Effort

The number of hours managers work varies by the number of markets they manage, whether it is the market season or the off-season, and the size of the market(s) they manage. As a market increases in size, the management of the market demands more hours of work. Table 5 shows the median number of hours worked per manager per market during the market season for the market size categories.<sup>15</sup> Managers of Micro markets work a median of 7 hours per week during the market season, ranging from 1 to 15 hours per week. Managers of Small markets work a median of 10 hours per week during the market season, ranging from 2 to 30 hours per week. Managers of Medium markets work a median of 20 hours per week, ranging from 8 to 25 hours per week. Managers of Large markets work a median of 29 hours per week, ranging from 16 to 40 hours per week.

Table 5 also clearly demonstrates the progression in number of hours worked per manager per market during the off-season as the market size increases. Managers of Micro markets work a median of 2 hours per week during the off-season, ranging from zero to 15 hours per week. Eighty-three percent of these managers work 4 or fewer hours per week during the off-season. Managers of Small markets work a median of 3 hours per week during the off-season, ranging from zero to 15 hours per week. Managers of Medium markets work a median of 10.5 hours per week, ranging from zero to 25 hours per week, with nearly 67 percent working 11 or fewer hours per week. Managers of Large markets work a median 15.5 hours per week during the off-season, ranging from 7 to 40 hours per week. In summary, Table 5 clearly shows the increase in management effort defined as hours worked both during the market season and during the off-season as markets increase in size.

Farmers' market managers reviewed these results during focus group sessions and during the Project Advisory Committee review session. They agreed with these conclusions and helped flesh out some other management implications related to market size. One area they focused on was the off-season:

- "During the off-season, the kind of work changes too with the size, not just the hours. Involvement with bureaucracies, insurance, etc., not just taking calls from vendors."
- "I'm sending out vendor packets earlier because I couldn't handle the paperwork load last year."
- "I prioritize off-season tasks—no musicians booked in January!"
- "The off-season is getting shorter; the market is opening earlier, staying open longer, then there are special end of season and holiday markets. And, there's more to do during the off-season related to regulations. Plus negotiating and renewing insurance."

With increasing size comes an increase in product diversity and the demands for additional skill and responsibilities:

- "The breadth of knowledge is more too. Food Safety [Oregon Department of Agriculture, Food Safety Division] wants managers to know and enforce, vendors want farm inspections. A lot of regulation is put on managers."

- “We need to know as we add meat, kitchens, restaurants, what kind of information to give the vendors.”

There are also the differences in organizational complexity and management effort as markets become large:

- “About 50 vendors is the perfect size. A market much larger than about 50 vendors is three times more difficult to manage.”
- “With large markets, internal controls are a necessary piece of infrastructure. Financial issues are complicated.”
- “For large markets there’s more emphasis on mission and vision and strategic plan and goals and accountability. I now do more public relations and create an advertising plan. Budgets; my time has become more and more about planning, budgeting, etc.”
- “There are some economies of scale but there’s always something added to nullify them. They’re there but they just get washed over by some other thing you’re now expected to do.”
- “Where my workload has changed over the last years is in finance, budgeting, accounting for budgets. A lot of time goes into that.”

There are other qualitative differences between Medium and Large markets as well. Reflecting on the transition from a Medium market to a Large market, one manager commented:

- “This got me thinking about the evolution from starting 6 years ago. When I started, the markets were smaller and growing into larger markets. What did we have to put into place to make that change happen? What’s different between managing a medium sized market and jumping into something large? It’s the size of course; it brings you more problems. The main thing is you have to let go of so much. You can’t be everywhere and you don’t know what’s happening at that other end of the market now. You have to trust more, have more structure, and have systems for enforcement of rules. You can’t go around and make sure everybody’s doing everything every week. You have a system where you go down one leg one week, the next the next. You try to hit things consistently, but you can’t do it all. The nature of the relationships changes with the vendors. When it’s a smaller market you have a much closer relationship. And so vendor problems are part of it; you have more vendor problems with a large market. They don’t ‘mind.’ If you are at one end of the market, and they can’t see you, they try to sneak in and try to load out early, whatever they want to do. There’s a lot more time spent as policeman instead of as a friend and a confidant kind of relationship.”

Table 7 (page 14) arranges the management tools in an order approximating the increase in management structure and complexity for the four market size categories.

**“For large markets there’s more emphasis on mission and vision and strategic plan and goals and accountability.”**

**Table 7. Summary of Market Size and Management Structures**

Management Tool	Micro (5–8)	Small (9–30)	Medium (31–55)	Large (56–90)
Manager is volunteer	55%	47%	0%	0%
Manager is paid	45%	53%	100%	100%
Design layout	75%	75%	100%	100%
Guidelines	63%	90%	100%	90%
Site map	38%	65%	100%	100%
Arrange vendors	50%	80%	100%	90%
Board	25%	65%	92%	90%
Bylaws	25%	50%	83%	80%
Board officers	0%	55%	92%	90%
Board committees	0%	25%	59%	70%
Additional employees	0%	20%	92%	100%
Median hours per week in-season per market	7.0	10.0	20.0	29.0
Median hours per week off-season per market	2.0	3.0	10.5	15.5
Additional employee mean FTE per market	0	0.10	0.54	0.80

To summarize, the analysis of market size and management tools revealed that as markets increase in size there is an increase in both the number of management tools and in management complexity. Each market creates internal structures within its available resources to manage external challenges. Each market size category has unique characteristics along a continuum from Micro to Large.

Micro-sized markets are very informal and are likely to have a volunteer manager. Because of the low number of vendors, many markets of this size do not use the site management tools used by larger markets. About 7 hours per week are devoted to managing these markets during the market season. Virtually none use any of the organizational structures associated with larger markets, such as boards of directors or bylaws.

Small markets are more complex than Micro markets and display many similarities to formal organization. Small markets are split equally between having paid managers and having volunteer managers. They are large enough to have rules or guidelines, and they arrange vendors' booths to meet specific goals. They have substantially more vendors than a Micro market, but they use only a few additional hours each week for in-season and off-season management.

The research identified the transition from a Small market to a Medium market as a critical point in a market's growth. There are significant differences in organizational structure between the two size categories that must be accommodated in order to successfully accomplish this transition. In all instances, Medium markets pay their manager; some use additional part-time employees and a more formalized structure of a board of directors, bylaws, and more detailed market rules. The number of hours required to manage a Medium-sized market is significantly higher than for a Small market.

Although there are many similarities between Medium and Large markets, there are major differences between these categories in increased complexity of labor and resources. The number of hours worked by the market managers per week during the season and the off-season is higher for Large markets than for Medium markets. Market managers described qualitative differences between these market size categories as well.

## Recommendations

Discussed here are three broad recommendations for enhancing the success of farmers' markets. The findings from this research support recommendations that can be implemented at the local community or at the individual market level. However, equally important are permanent, sustainable solutions that are based on monitoring and changing local, state, and federal policy to ensure continued enhancement of farmers' markets. Recommendations for attaining this type of change are more abstract.

### **Recommendation 1: Plan New Markets Carefully to Ensure Success**

Market organizers should spend a considerable length of time deciding whether and how to open a new market. Another part of this research project documented that nearly half of new markets close in the first 4 years (Stephenson, Lev, and Brewer 2006b). Improved planning and market promotion in advance of opening may reduce some of the issues confronting markets in their first year of operation. An important part of the planning process is setting a goal for the size of the market in general, or by year, to ensure that resources match the market's planned size. Planning for size is the first step in creating a viable management organization that will survive current challenges and conflicts and have the ability to grow. More details on this are in Recommendation 2. Market size is influenced by: community population density, population subculture (interest in purchasing local food and experience of open air market), and other factors influencing the scale of a market from the demand side. Local farm settlement pattern (number and type of small farms), agro-ecozone (soils, climate, altitude), and other factors influence the scale of the market from the supply side. Organizers should carefully assess both whether there is sufficient population (demand) to support a market and whether there are sufficient growers (supply).

### **Recommendation 2: Management Resources and Organization Should be Appropriate for the Size of the Market**

As pointed out in Recommendation 1, planning for the intended size of a market is an important step in creating an organization that will have the skill resources and financial resources for long-term operation. The research findings on market structure identified an association between markets of specific sizes and the management tools they used. Table 8 (page 16) uses icons to summarize recommendations for farmers' markets based on the four size categories used in this study. The icons represent whether a management tool is "Not Necessary," "Useful," "Necessary," or "Dangerous." Navigating changes between size categories is not easy. For instance, a market's financial situation may challenge its growth; e.g., there is a need for a paid manager,

**Market organizers should spend a considerable length of time deciding whether and how to open a new market.**

but the market cannot afford one. Funding limitations that constrain additional hours being worked during the season and off-season may make a market less efficient or threaten its stability.

**Table 8. Summary of Management Recommendations for Market Size Categories**

Management Tool	Micro (5–8)	Small (9–30)	Medium (31–55)	Large (56–90)
Volunteer manager	☹	😊	💣	💣
Paid manager	😊	😊	😊	😊
Design market layout	❖	😊	😊	😊
Market guidelines	😊	😊	😊	😊
Site map	❖	😊	😊	😊
Arrange vendors to meet goals	😊	😊	😊	😊
Board of directors	😊	😊	😊	😊
Bylaws	❖	😊	😊	😊
Board officers	❖	❖	😊	😊
Board committees	❖	❖	❖	😊
Additional employees	❖	😊	😊	😊
Plan for minimum hours for a manager per week per market in-season	7	10+	20+	30+
Plan for minimum hours for a manager per week per market off-season	2+	3+	10+	15+
Plan for minimum additional employee hours per week per market	0	4+	20+	32+

❖ = Not necessary      😊 = Necessary      😊 = Useful      💣 = Dangerous

### **Recommendation 3: Applied Research and Outreach are Necessary for the Success of Farmers’ Markets**

There is a clear need for continued applied research supporting farmers’ markets and educational outreach to managers, boards of directors, and vendors. Applied research has provided and will continue to provide markets, individually and collectively, the information they need to impact public policy. Applied research can also assist markets in making strategic management decisions. In addition, training in farmers’ market management, farmers’ market-based business management, concepts of marketing, innovative crop production techniques, and other subject areas may assist managers and vendors in maintaining their ability to compete with commercial businesses that may copy products, appearances, and techniques.

## Notes

- <sup>1</sup> The farmers' market categories integrate both quantitative and qualitative data. Categories formulated from the frequency distribution for market size and research participant input were examined statistically using analysis of variance (ANOVA) and Tukey's (HSD) test for honestly significant difference. The market size categories were reviewed and validated during manager focus group sessions.
- <sup>2</sup>  $t(48) = -4.2245, p < 0.0001$
- <sup>3</sup>  $t(48) = -2.014, p < 0.05$
- <sup>4</sup>  $t(48) = -5.873, p < 0.0001$
- <sup>5</sup>  $t(48) = -2.897, p < 0.01$
- <sup>6</sup>  $t(48) = -3.745, p < 0.001$
- <sup>7</sup>  $t(34) = -6.302, p < 0.0001$ . The values for markets that do not have boards of directors were not used in the statistical calculation.
- <sup>8</sup>  $t(35) = -3.268, p < 0.005$ . The values for markets that do not have boards of directors were not used in the statistical calculation.
- <sup>9</sup>  $t(48) = -4.917, p < 0.0001$
- <sup>10</sup>  $t(48) = -4.917, p < 0.0001$
- <sup>11</sup>  $t(48) = -8.628, p < 0.0001$
- <sup>12</sup>  $r(50) = 0.773, p < 0.0001$
- <sup>13</sup>  $r(47) = 0.705, p < 0.0001$
- <sup>14</sup>  $r(47) = 0.608, p < 0.0001$
- <sup>15</sup> There are seven managers in this study who manage more than one market. In order to examine the impact of market size on manager effort and to avoid problems associated with managers who manage multiple markets of differing sizes, the values used here are proportioned to reflect per-manager per-market effort. This does not take into account additional effort managers of multiple markets may devote to specific markets during startup or to dealing with a variety of issues or efficiencies of scale from managing more than one market.

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# APPENDIX K

# 2011

## Vendors Package



M. Scotty Lamkin-Market Manager

Wasilla City Market

4/30/2011



Wasilla City Market » 300 North Willow » Wasilla, Alaska 99654  
(907) 376-0150 » [slamkin@mtaonline.net](mailto:slamkin@mtaonline.net)

April 20, 2011

Dear Growers and Vendors:

It's that time again! This is the first year of the Wasilla City Market, and we're hoping it will be a great year! The Wasilla City Market is committed to being a grower- producer-and artisan only market.

The Wasilla City Market will be located at the parking lot on 300 North Willow, behind Key Bank and will operate, rain or shine, each Saturday and Sunday from 10am to 4pm, June 4, 2011 through August 28, 2011. This market is unique in that there will be a permanent overhead roof structure for the primary farmers/produce section with 4'x10' slant back tables and a large 60'x80' tent to cover the 3'x8' tables for the secondary farmers/produce section.

Enclosed is a copy of our application, rules and regulations, a marketing letter for you to share with any prospective vendors that you may know, as well as the layout of the grounds. Please return your completed application no later than May 20, 2011.

If you have any questions, please call the Market Manager, Scotty Lamkin, at (907)376-0150 or [slamkin@mtaonline.net](mailto:slamkin@mtaonline.net) I look forward to meeting and working with you all this year; it's going to be a great summer!

Sincerely,

M. Scotty Lamkin  
Market Manager

# Wasilla City Market 2011 Vendor Application

## I. Information

Business/Farm Name \_\_\_\_\_  
Owner/Contact Name \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone \_\_\_\_\_ Fax \_\_\_\_\_ Cell \_\_\_\_\_  
Email \_\_\_\_\_  
Website \_\_\_\_\_

## II. Permits and Products

What kind of permit would you like?

Reserved *before May 20*: \_\_\_\_\_ Seasonal \_\_\_\_\_ Monthly \_\_\_\_\_ Weekly \_\_\_\_\_

Reserved *after May 20*: \_\_\_\_\_ Seasonal \_\_\_\_\_ Monthly \_\_\_\_\_ Weekly \_\_\_\_\_

Provide a **complete list** of the products you will sell at the market and the quantity you intend to bring. Include produce, value-added products, flowers, bakery or other non-produce items you will sell and the degree to which they contain local ingredients, if applicable. Attach extra sheets or photographs, if needed. The more information you provide the better we will reach our customers. If you do not include some products on this list, you may be asked to remove them from your booth if they are found to be questionable or create a surplus of any one item during the market day.

Vegetables: \_\_\_\_\_

Fruits: \_\_\_\_\_

Flowers: \_\_\_\_\_

Baked Goods: \_\_\_\_\_

Meat: \_\_\_\_\_

Plants: \_\_\_\_\_

Other goods: \_\_\_\_\_

Which of the following best describes your farming practices? Explain your use of pesticides and fertilizer: (For example, is everything sprayed? Insect invasion? Partly organic? Routine? Etc.)

Conventional

Pesticide Free

Minimum Chemical

Certified Organic

Other (explain) \_\_\_\_\_

## III. Vendor Space: Each space is 8'x 3': if you extend beyond that, please reserve 2 spaces.

1. Do you require electricity at your stall (circle)? Yes \_\_\_\_\_ No \_\_\_\_\_

2. Please look at the attached map and pick out your top three choices for booth locations.

My choices: 1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_

The Wasilla City Market Begins June 4 and runs through August 28th. Please check the dates you will attend the market.

I plan to attend all markets (fulltime vendor) --Or--

June 4

June 25

July 10

August 6

August 27

June 5

June 26

July 16

August 7

August 28

June 11

July 2

July 23

August 13

June 12

July 3

July 24

August 14

June 18

July 4

July 30

August 20

June 19

July 9

July 31

August 21

Please include a summary of your business, for inclusion in the Wasilla City Market newspaper ads (or attach):

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**V. Agreement**

**Hold Harmless Agreement**

The undersigned, individually and as authorized signatory for the below-listed organization (hereinafter referred to as the "Undersigned"), in consideration for the benefits to be derived from participation in the 2011 Wasilla City Market, hereby release and hold harmless the Wasilla City Market, the Wasilla Market Manager, his assigns, Husky Electric Supply, organizers of the Wasilla City Market, their agents, officers, servants and assigns (hereinafter referred to as the "Released") from any and all liability, claims, demands, and causes of action, whatsoever, arising out of any claim, express or implied, and/or related to any loss, damage or injury, that may be sustained or incurred by the Undersigned, its employees, agents, heirs, assigns or property, whether directly or indirectly caused by, or through the negligence of, the Released in connection with the 2011 Wasilla City Market and/or the Undersigned's participation in, or association with, the event. The Undersigned further agrees to indemnify and hold harmless the Released from any loss, liability, damage or judgment, including all costs and attorneys fees associated with the defense of any claim arising from the 2011 Wasilla City Market and/or the Undersigned's participation in, or association with, the event. This Agreement to Indemnify and Hold Harmless shall be binding upon the Undersigned, its agents, heirs, successors and assigns. Individually, and on behalf of \_\_\_\_\_ (name of organization), I \_\_\_\_\_ (name of authorized signatory) have read and fully understand the above and by my signature below do hereby intend to be bound by the same.

Date: \_\_\_\_\_

Participant's Signature: \_\_\_\_\_

Organization Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Rec'd by, Market Manager: \_\_\_\_\_

Any Vendor serving food for onsite consumption or to go, including fish and fresh produce, shall maintain general and product liability insurance in an amount not less than \$500,000 and shall include the Wasilla City Market & Market Manager, as "additionally insured parties" in its product liability insurance and other applicable policies. Copies of these policies or appropriate certificates of insurance shall be delivered or faxed (907-373-4918) to the Wasilla City Market & Market Manager before Vendor first occupies leased space.

*Without payment and proof of insurance, your booth will not be reserved.*

\*\* Please attach all copies of applicable inspection forms, licenses or other required documents to this application prior to submission.

\*\* Please include payment of seasonal, monthly or weekly fee in the form of a check or money order, made payable to Wasilla City Market, with this application.

**Please mail completed application and any additional paperwork to: Wasilla City Market, 300 North Willow St. Wasilla, Alaska 99654.** For further information or if you have questions call Market Manager Scotty Lamkin at 907-376-3829 or 376-0150



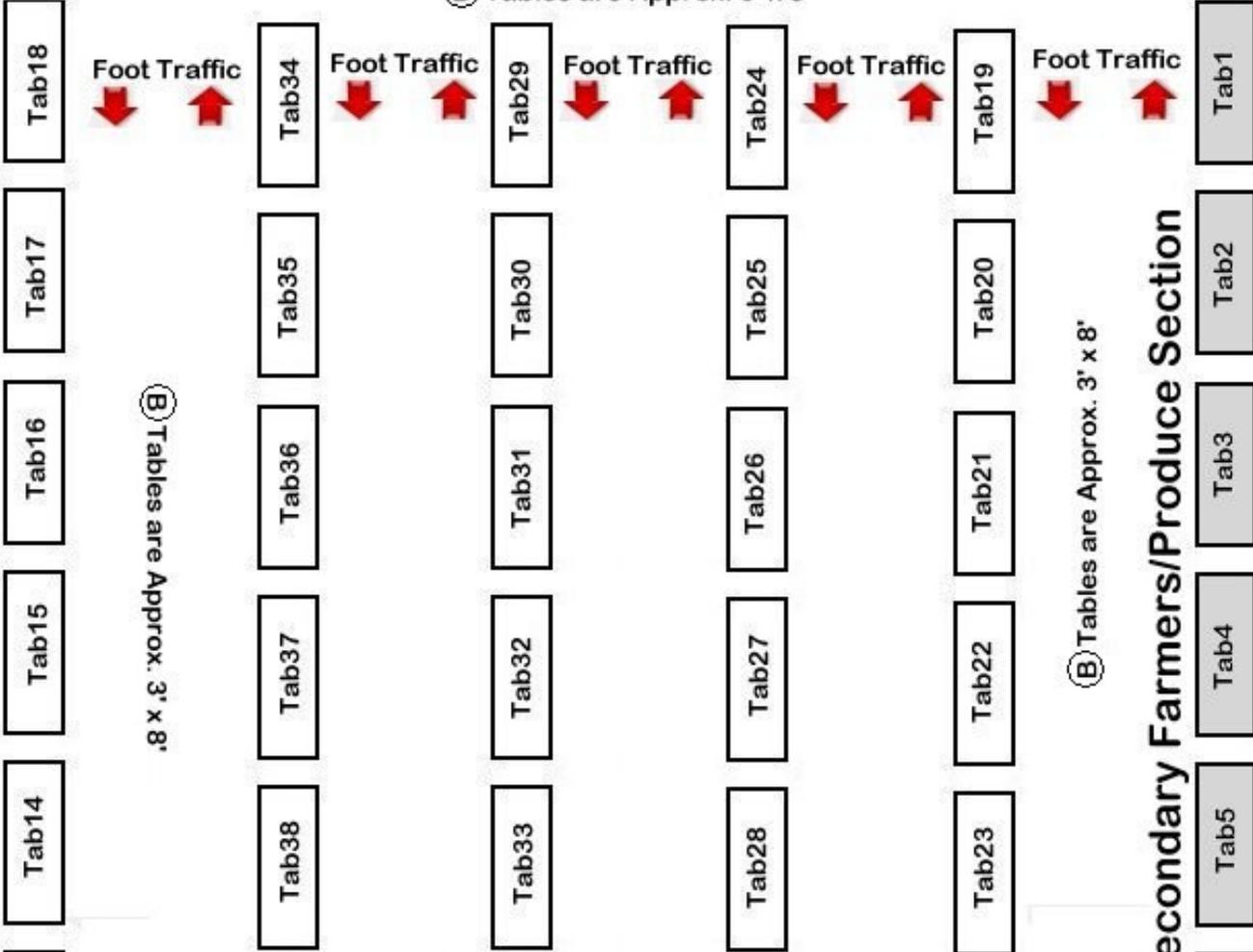
**Primary Farmers/Produce Section**  
Permanent Roof Overhead

(A) Tables Slant backs Approx. 4' x 10'



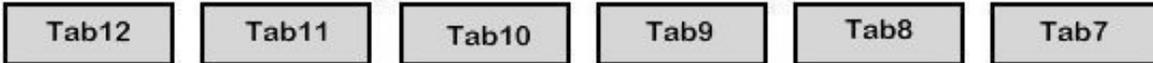
**61' x 78'**

(B) Tables are Approx. 3' x 8'



**Secondary Farmers/Produce Section**

(B) Tables are Approx. 3' x 8'

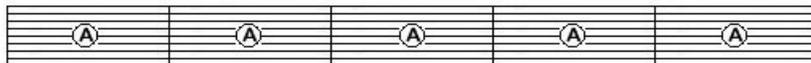




# Booth Reservation Price Sheet

## Primary Farmers/Produce Section Permanent Roof Overhead

(A) Tables Slant backs Approx. 4' x 10'



**\$40./day**

## Secondary Farmers/Produce Section (B) Tables are Approx. 3' x 8'



**\$30./day**



Some Shaded Tables have power options.

## Craft/Artisan Tables 13 thru 38 (B) Tables are Approx. 3' x 8'



**\$25./day**

\$5. additional per day for power where available.

Price include weekly advertising of the Wasilla City Market in the Frontiersman.

Each Vendor is responsible for their 2% Wasilla City Sales Tax. Market Manager will collect at the end of each day.

## **Wasilla City Market 2011 Rules and Regulations**

Please review the Application and Rules and Regulations carefully prior to submitting. Applications are due by **May 20, 2010** and can be mailed to:

Wasilla City Market  
300 North Willow St.  
Wasilla, Alaska 99654

Applications can also be faxed to (907) 373-4918, attention: Wasilla City Market. For more information, please contact the Market Manager, Scotty Lamkin at (907)376-0150 or 376-3829 or you may email me at [slamkin@mtaonline.net](mailto:slamkin@mtaonline.net)

### **I. Dates, Hours of Operation, Operating Guidelines, and Locations**

The Wasilla City Market is an outdoor market located in the fenced warehouse lot just behind Wasilla Key Bank, just off the Parks Highway in downtown Wasilla.

The market will open Saturday, June 4, 2011 and will run every Saturday and Sunday through August 28, 2011. Market hours are from 10 a.m. to 4:00 p.m., rain or shine. The number of market stalls available is limited by the space available. Priority for market spaces will be as follows:

1. Vendors who have submitted an application with their paid fees and proof of insurance by May 20, 2011 subject to compliance with market rules as set forth below and the Wasilla City Market Manager to review products sold.
2. New vendors who have submitted their application and membership fees by May 20, 2011, subject to compliance with market rules and subject to the needs of the market for various products as determined by the Wasilla City Market Manager.
3. In case of conflict over priority, Wasilla City Market Manager may prioritize applications by any method, which may include drawing lots or accepting good exceptions to priority based upon good faith and circumstances beyond the vendor's control. Vendors agree by submitting this application that the decision of the Wasilla City Market Manager in these matters shall be final.
4. If the number of applicants exceeds the number of spaces available, the Wasilla City Market Manager shall publish a waiting list, which shall establish priority for new vendors as spaces become available.
5. Additional applicants will be considered after May 20, 2011 as space permits.

### **II. Market Rules**

The Wasilla City Market is managed and operated by Husky Electric Supply, Inc. Vendors are the growers and producers of the fruits, vegetables, plants, herbs, flowers, eggs, baked goods, meats, dairy products, jellies, jams, honey, syrup and/or other approved products they intend to sell at the market. The Wasilla City Market supports local, small-scale farmers' and gardeners by providing a marketing opportunity to sell produce and farm-related items directly to consumers. All value-added products and handcrafted items are to be made by the vendor, except as allowed by the consignment rules set forth below. The Wasilla City Market Manager shall review and approve all items prior to acceptance of the vendor to the market. Any disputed issue may be appealed in person to the Market Manager. The decision of the Market Manager shall be final.

Sellers must have all applicable State of Alaska, Alaska Department of Agriculture, USDA and any other federal, state or local licenses. The Alaska Department of Environmental Conservation will monitor the market for health code compliance. All vendors should contact the ADEC at (907) 376-1857 **before** the start of the market to ensure compliance. The Wasilla City Market is *not responsible* for the enforcement of USDA, ADOA or any other federal, state or local regulations. Should any enforcement agent inspect our market, each vendor is responsible for the compliance of his/her merchandise.

***All produce and products sold at the market must be grown and/or produced by market vendors, excepting a small quantity of consigned products. For consignment policy, see below.***

By submitting an application, vendors agree that the Wasilla City Market Manager or an Appointee may inspect their farm or facilities to insure compliance.

### III. Consignment Policy

A vendor may sell up to 20 percent of their booth's produce or value-added products on a Consignment basis for another grower or producer. *Under no circumstances may a grower sell produce that was purchased at wholesale for resale at the Wasilla City Market.* The purpose of consignments is two-fold. First, it allows participation in the market by a local grower with a limited number of products. Second, it widens the variety of products available at the Market, which benefits the consumer and promotes the success of the market. The following guidelines apply:

1. Before bringing the consigned product to market, the vendor will request approval from the Wasilla City Market Manager.
2. Consigned produce or products must be brought to the market without vendor prepayment for those items.
3. The product must be grown or produced by the consignor on his or her own farm or facility.
4. The consignor will be subject to all rules of the market, including inspection for compliance with grower requirements.
5. Consignment arrangements as to quantity and price are between the vendor and the grower/producer of the item.
6. No items may be offered for sale that are not produced by vendors or consignors, except by written permission of the Wasilla City Market Manager, which may be granted if such items are determined to be for the good of the market as a whole and do not detract from other grower/vendors.
7. Non-farm art, crafts and value-added food products produced by a vendor may also be sold with the approval of the Wasilla City Market Manager. Farmers who produce value-added and craft items will receive preference over non-farmer artisans in selling these items at the Market, dependent on market needs.
8. Value-added products – jams, jellies, salsas, hot sauces and similar products – should use ingredients grown by the vendor or locally grown whenever possible. All value added products must follow local, state and federal labeling guidelines.

### IV. Approved Products

1. All vegetables, flowers, sprouts or herbs grown by the vendor from seed, sets or seedlings.
2. Any fruits, nuts or berries grown by the vendor from trees, bushes or vines on the vendor's property.
3. Any vegetable or berry plant grown by the vendor from seed, seedling, cuttings or division bulbs and seeds propagated by the vendor. Cut flowers or flowering plants may be sold, subject to the Market Managers decision on limiting the number of such market stalls and the amount of flowering plants that can be accommodated at the market. The Wasilla City Market Manager will not allow the sale of split plants from a homeowner's landscape.
4. Fresh eggs produced by the vendor's poultry.
5. Honey produced by the vendor's bees.
6. Fresh baked goods made by the vendor. Vendors who sell home-baked goods must have a home baking registration license obtained by calling the Alaska Department of Environmental Conservation at (907)269-7644. In addition, pre-packaged baked goods must be labeled with ingredients to meet applicable federal, state and local laws, ordinances and requirements.
7. Value-added agricultural products such as jams, salsas, cheese, dried tomatoes and sauces. Value-added products and prepared food items must meet all applicable federal, state and local health regulations.
8. Chicken, beef, pork, lamb, fish or other types of meat raised by the vendor, must be processed and handled in accordance with applicable regulations. Vendor must have appropriate licenses and adhere to all applicable federal, state and local laws, ordinances and requirements.
9. Booths for taking orders for animals or animal products (such as a booth taking orders for quantities of meat.)
10. Plant and animal products grown and crafted by the vendor (soaps, garlic braids, herb salves, wreaths, etc.)
11. Indigenous wild crafts made or gathered by the vendor (bark baskets, etc.)
12. Wool, yarn or goods crafted from wool from vendor's own animals.

13. Art or craft items – each vendor's items will be admitted on a case-by-case basis.
14. Other such products that may be approved by the Market Manager.
15. All products and vendors require advance approval by the Market Manager.

#### **V. Value-Added Product Vendors**

Value-added products sold at the Wasilla City Market should employ as many local ingredients as possible. Application approval is dependent upon the needs of the market for variety and balance (too many bread bakers, not enough salsa vendors, etc.). *Please describe on your application your product, where and how you make it, and what quantities you produce. (i.e., do you use locally grown ingredients?)*

Vendors must submit a copy of all inspection forms, business licenses (if required) and other documents with their application. All such forms, licenses and other documents must be available for inspection at any time by the Wasilla City Market Manager or any other appropriate representative. If at the time of application a vendor has not yet received the proper forms but is in the process of obtaining them, the vendor may provide proof that he/she has applied for the required forms.

All inspection forms, business licenses and other applicable documents must be obtained and presented to the Wasilla City Market Manager for review at least one week before the market day the vendor wishes to attend. Please note that a delay in providing the appropriate documentation may result in the vendor being excluded from the market.

Labels, where required, must be of a type approved by the Alaska Department of Agriculture. The ADOA/ADEC will visit the market so it is critical that you keep a copy of your papers in your booth, as well as in our files, or they will likely shut down your booth for the day.

*All products must be raised, harvested, prepared for resale, packaged and displayed in accordance with federal, state and local regulations.*

*Artisan applicants:* Art and hand crafted items are a valued part of the Wasilla City Market. Artisan vendors will be included as space permits but will typically not exceed 50 percent of participating vendors. Artisans should be prepared to show work or slides of their work to the Market Manager for approval.

#### **VI. Fees and Reservations**

All fees will be used to support the promotion and operation of the market including, but not limited to, the market management and administration, public relations and marketing expenses, Market supplies, market fixtures and customary business expenses. Vendors that submit their application and payment before May 20, 2011 with a valid postmark will receive a 10% discount of their fees.

1. See attached Fee Schedule page for costs.
2. Weekly market participation is available to vendors who have limited product but would like to participate in the market on an occasional basis. Such participation will be possible only if there is space available and their inclusion would not throw off the balance of vendors at the market, as determined by the Wasilla City Market Manager.
3. It is the responsibility of the vendor to make the payment of their weekly fees to the Wasilla City Market Manager before 8 a.m. each market day. Personal checks are not accepted for weekly fees.
4. All vendors are independent entities and as such are responsible for compliance with local codes and for paying all applicable taxes and/or federal, state and local fees. Wasilla City taxes will be collected by the market manager, from each vendor, based on sales for that day. Wasilla tax rate is 2%. Check the local state and other applicable regulations and see how they apply to you. *Each full time vendor must carry his or her own personal and product liability insurance.*

#### **VII. Reservations and Booth Assignments**

1. See attached map for dimensions of booth space. Vendor's canopy and display tables or booths must stay within the allotted space.
2. Vendors may not spill into another space.
3. Every effort will be made to ensure season-long reservations receive the same space each week. If vendors cannot attend a particular market, they should notify the market Manager as soon as possible, but no later than 5 p.m. the Thursday before the market, except for emergencies, in which case they should notify the Wasilla City Market Manager as soon as possible at (907) 376-3829. Requests to transfer to an open booth may be granted at the discretion of the Market Manager.

4. Week-to-week assignments are to be made by calling the Market Manager. The assignments will be made on a first come, first served basis, subject to the right of the Market Manager to arrange the various booths for maximum positive impact and to accommodate the needs of vendors and customers.
5. Subsequent year reservations are subject to assignment based upon seniority and Market needs. Seniority is determined by previous year attendance. Ties will be broken by total market attendance. Ties from this will be broken by lottery.
6. Absence Policy: If a vendor has reserved a weekly space at the market and cannot attend, he or she is expected to notify the market manager 72 hours in advance. In the event no notice is given the booth fee must be paid before the vendor may resume market attendance. Exceptions to this rule are illness, accidents, family crisis and other instances deemed to be a legitimate emergency by the Market Manager.

### **VIII. Setup and Parking (Absolutely, no exceptions!)**

1. Vendors must be on site and set up no later than *8:30 a.m.* *Vendors are required to clean up after the close of the market. A \$25.00 fee will be imposed if a vendor area is not cleaned at the close of the market each week. This fee is assessed per infraction!*
2. Vendors agree to park in a designated vendor parking area.
3. Vendors are independent entities and as such are liable for all applicable insurance.
4. Vendors must clearly display all applicable licenses.
5. Vendors are responsible for their own scales if needed. Vendors selling by the pound must use and provide their own certified scale. You must follow the guidelines set forth by the State of Alaska, Division of Weights and Measures. If you use a scale, it must bear the seal of inspection from that office.
6. Each vendor is responsible for keeping his or her booth space clean, and to tidy up before leaving. Vendors must remove all trash and dispose of it properly.
7. Vendors must post prices for all items. All products must be clearly labeled and in compliance with any federal, state or local regulations or requirements.
8. Sellers are encouraged to present their product in the best light and offer the highest quality fresh produce and/or handcrafted items.
9. Vendors, their employees and associates shall dress and act in a professional manner with customers, vendors and staff.
10. *Vendors must maintain their display set up until the close of the market and may not begin breaking down until 4pm.*
11. The Market Manager has the right to require a vendor to change his or her display if it is deemed to present a safety risk or otherwise does not comply with market rules.
12. Wasilla City Market will provide a trash container as necessary for Market related trash only!

### **IX. Compliance with Market Standards**

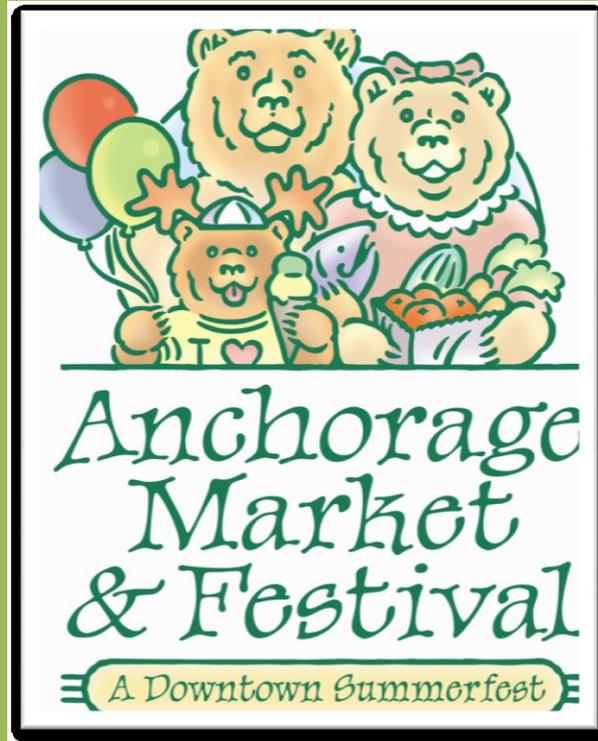
Enforcing the above rules will be the responsibility of the Wasilla City Market Manager or Staff. After giving the vendor an opportunity to be heard, the Market Manager will determine whether there has been a violation and if necessary, escalate the issue. If the Market Manager determines that there has been a violation, they will take whatever action it, in its sole discretion, deems appropriate and just. The Wasilla City Market Manager retains the right to limit or revoke any vendor's participation in the Wasilla City Market. Wasilla City Market reserves the right to settle all situations not covered by the above rules, based upon its sole discretion as to what is best overall for the market.

*The following items are prohibited under all circumstances: smoking, weapons of any kind, alcoholic beverages, pets or items not approved by the Wasilla City Market.*

APPENDIX L

**2011**  
**Vendor**  
**Handbook**

May 14 to September 11,  
2011



*19th year*

Webb's Consulting & Management Services, Inc.  
741 East 13<sup>th</sup> Avenue  
Anchorage, AK 99501

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## **2011 is the Nineteenth Season for Anchorage Market & Festival**

### **Anchorage Market & Festival Mission Statement**

**A**nchorage Market & Festival strives to provide the Anchorage community and its visitors with a summer weekly attraction featuring a large variety of Alaskan arts and crafts, food and imports at reasonable prices; enhance the quality of life of Anchorage residents, visitors and Vendors; and enhance the reputation of Anchorage by creating an atmosphere of a carnival or fair, designed for the enjoyment of adults and children of all ages (“the Intended Atmosphere and Use”); to provide Vendors with a low cost, premier location which affords them an opportunity to showcase and display their products to a broad base of consumers and potential consumers, both local and long distance; and, to make productive use on weekends of Anchorage’s downtown parking facilities.

This mission statement (The “Anchorage Market & Festival Mission”) and the Intended Atmosphere and Use are the primary purposes of Anchorage Market & Festival. In the interest of the Market and its participants, any other purpose, advantage, or benefit is secondary and is subordinate to the primary purposes.

**Note:** *The Anchorage Market & Festival regular season consists of the 18 consecutive weekends beginning on Saturday, May 14, 2011 and ending on Sunday, September 11, 2011.*

### **Code of Ethics**

*Anchorage Market & Festival and its organizers are committed to providing a market place that is free of discrimination and unlawful harassment. Actions, words, jokes, or comments of Vendors, their agents, servants, employees, invitees, guests, or customers based on an individual’s sex, race, ethnicity, age, religion, disability or any other legally protected characteristic will not be tolerated. It is the policy of the Anchorage Market & Festival to comply with the letter and the spirit and intent of Federal Equal Employment Opportunity laws and rules and other similar state and municipal laws and rules. Vendors observing or having knowledge of illegal incidents or practices or violations of this policy are encouraged to immediately report such incidents to the Anchorage Market & Festival Manager.*

### **Anchorage Market & Festival Manager**

Webb’s Consulting & Management Services, Inc. operates Anchorage Market & Festival. It’s Owner and President is William (“Bill”) F. Webb. Throughout this Handbook, reference is made to the Anchorage Market & Festival Manager and this reference shall mean Webb’s Consulting & Management Services, Inc. and its authorized or designated representatives.

Webb’s Consulting & Management Services, Inc.  
741 East 13th Avenue  
Anchorage, Alaska 99501-4621  
Phone (907) 272-5634 Fax 272-5635  
E-mail: [info@anchoragemarkets.com](mailto:info@anchoragemarkets.com)

## **Market Policies**

The Anchorage Market & Festival Manager has complete authority to interpret and implement policy, the leases and this Handbook at the Anchorage Market & Festival sites, and to act on any breach or violation of any of these items. Vendors, merchants and others are encouraged to provide the Anchorage Market & Festival Manager with written suggestions for improvement and for consideration of the Anchorage Market & Festival Manager.

All participants of the Anchorage Market & Festival will behave toward Anchorage Market & Festival customers, staff and volunteers in a professional manner which fosters a sense of Market community and camaraderie, a spirit of cooperative involvement, and which promotes the Market as a whole to the community that it serves.

The Anchorage Market & Festival is designed to project a family atmosphere where people can come together to buy and sell merchandise. Accordingly, fees are collected from Vendors to promote attendance and conduct the operations of the Anchorage Market & Festival. It is not intended that individuals, without paying for the Leased Space, may come into the market for the purpose of selling, displaying or distributing products, services, promotions or materials without signing leases and being subject to the rules therein set forth. Individuals attempting to do so without signing a lease and paying fees will be asked to cease such activity; if they continue to do so, they may be ejected and possibly arrested as trespassers.

This policy may be relaxed for entertainers, at the option of the Anchorage Market & Festival Manager, in its sole discretion, when Anchorage Market & Festival quality and atmosphere can be enhanced thereby, and the intended use of the Anchorage Market & Festival protected.

Due to the nature of Anchorage Market & Festival and its Intended Atmosphere and Use, Vendors specifically agree to the following restrictions, limitations and policies on the use of the Leased Space, which shall be strictly construed in favor of the Anchorage Market & Festival Manager and in accordance with the Anchorage Market & Festival Manager's interpretation of these restrictions, limitations and policies.

It is the responsibility of Vendors to fully understand and fully inform their agents, servants, employees, invitees, guests and customers of all of the policies, terms, conditions, traffic patterns, rules and regulations set forth in this Handbook and in Vendor's Lease Agreement and to ensure compliance with the same. The Anchorage Market & Festival Manager may issue written additions and addenda to these policies, terms, conditions, rules and regulations and they shall become part of this Handbook.

All uses of Anchorage Market & Festival premises shall be consistent with the Anchorage Market & Festival Mission and the intended atmosphere and use. The Anchorage Market & Festival Manager intends to prevent the display or sale of drugs, alcohol, drug paraphernalia, firearms, BB guns, air guns, paintball guns, paintball supplies, fireworks, poppers, stink bombs, lethal martial arts items, materials depicting or presenting to the casual passer-by, violence, inebriation, boisterous behavior, nudity, obscenity, pornography or any other violations of law. It is the policy of the Anchorage Market & Festival that no Vendor will offer for sale any item that would be deemed inappropriate for sale to an 8 year old child. The Anchorage Market & Festival is intended to encourage use by all members of the family and actions, products, displays, language and dress must all be compatible with this intent. The Anchorage Market & Festival Manager will be sole judge of the appropriateness of these items and Vendors

agree to cooperate in immediately removing from display or for sale any item deemed inappropriate. Sale of, knives, swords or lethal martial arts weapons to persons under the age of 18 is prohibited and Vendors selling these items must prominently display, in their booths, a sign indicating that sales to persons under the age of 18 are prohibited.

## **Space Assignments**

An area 10 feet wide by 15 feet deep constitutes the base leased area provided to Vendor for a single-space lease in Anchorage Market & Festival. Vendors may request specific spaces in accordance with Anchorage Market & Festival Manager's procedures and, subject to Anchorage Market & Festival Manager's right to assign different spaces. Space assignments are generally made on a "first-come, first-served" basis, with preference given to current Vendors who meet other criteria. Vendors requiring booth space larger than 10 feet wide by 15 feet deep for 15 or more Saturdays and Sundays in the 2011 season may purchase additional space in five-foot wide increments. Additional space is subject to availability and may be restricted to certain areas or rows. Vendors, except stand-by Vendors, requesting booths for 14 Saturday's or Sunday's or less, will be provided a booth 10 feet wide by 15 feet deep. Booth numbers and width of leased space are assigned by use of numbered tape on the curb, not by the metal placards hanging on post or wire. Certain booths, where space allows, will be up to 20 feet deep measured from the centerline of the concrete island. The booth's 15' or 20' depth will be marked by white lines on the parking lot's surface. Questions regarding Vendor's correct booth placement should be brought to Anchorage Market & Festival Manager's attention prior to the set-up of Vendor's booth. It is the Vendor's responsibility to ensure that adequate space is contracted for the size of canopy or tent and inventory to be used by Vendor.

## **Procedures**

2010 Vendors, defined as a Vendor named in a 2010 Lease Agreement who fully performed the terms of the Lease Agreement for the 2010 season, may sign up for the 2011 Market commencing immediately upon release of the 2011 Anchorage Market & Festival Handbook/Manual, and shall do so by delivering to the Anchorage Market & Festival Manager by the established deadline, by mail or in person, during regular business hours, only at the offices of Webb's Consulting & Management Services, Inc., 741 East 13th Avenue, Anchorage, Alaska 99501-4621, the following required items:

- A completed 2011 Anchorage Market & Festival booth request form;
- A fully executed 2011 Vendor Lease Agreement, filled in with all required information other than the space designation (s); and
- Payment of not less than 25% or 50%, as appropriate, of the total rent due for the entire term of the lease as calculated in the Lease Agreement.

For 2010 Vendors to be given preference in the assignment of 2011 spaces, lease packages must be returned to Webb's Consulting & Management Services, Inc. (using the above procedure) by 4:00 PM AST on Friday, October 15, 2010. Anchorage Market & Festival Manager will recognize only Vendors who have a lease in their name. Workers, employees or volunteers will not in any way be included in any preference group unless they obtain a separate lease bearing their name.

## **Preferences**

Spaces will be assigned to the following groups of 2010 Vendors, who apply by the Friday, October 15, 2010 4:00 PM deadline, in order of preference. Deadline is recognized as the date application and appropriate deposit are physically received in Webb's Consulting & Management Services, Inc. office; not date of postmark. Vendor Handbooks and Lease Agreements will be mailed to address of record to all Vendors who participated in the 2010 season. Saturdays and Sundays each are recognized as a separate market when applying preferences.

**Group 1** 2010 Vendors who leased space for 15 or more Saturdays and/or 15 or more Sundays; activity operated their booth in at least 12 Saturdays and/or Sundays and who wish to lease space for at least 15 Saturdays and/or 15 Sundays in the 2011 Anchorage Market & Festival regular season (18 Saturdays and 18 Sundays). Vendors requesting their same space as assigned in 2010 regular season on the same day (Saturday or Sunday) will be assigned first and then Vendors requesting spaces other than the space used in 2010 regular season will be assigned in order of receipt of application.

**Group 2** 2010 Vendors who leased space for any part of the 2010 Anchorage Market & Festival season (18 Saturdays & 18 Sundays) and who wish to lease space for at least 15 Saturdays and/or 15 Sundays in the 2011 Anchorage Market & Festival regular season (18 Saturdays & 18 Sundays) and Vendors who leased 15 Saturdays and/or 15 Sundays in the 2010 season but did not participate in at least 12 Saturdays and/or Sundays. Booths assigned in order of receipt of application.

**Group 3** New Vendors who wish to lease space for at least 15 Saturdays and/or 15 Sundays in the 2011 Anchorage Market & Festival regular season (18 Saturdays & 18 Sundays). Booths assigned in order of receipt of application with preference given to those who lease 15 or more Saturdays and 15 or more Sundays.

**Group 4** 2010 Vendors who leased space for any part of the Anchorage Market & Festival season and who wish to lease space for any part of the 2011 Anchorage Market & Festival season (18 Saturdays & 18 Sundays). These Vendors will be given preference based on the most Saturdays and/or Sundays committed and will be assigned space after January 3, 2011 or when appropriate space becomes available, whichever is earlier.

**Group 5** New Vendors who were not 2010 Vendors may apply and be assigned space after Groups above have been assigned. A Group 5 Vendor may also be a 2010 Vendor who does not apply for 2011 space by the October 16, 2010 deadline for preference assignments. Group 5 will be given preference based on the most Saturdays and/or Sundays committed. These Vendors will be assigned space after January 3, 2011 or when appropriate space becomes available, whichever is earlier.

***Note:*** *It is desirable for the Anchorage Market & Festival to have available for sale as large an assortment of products that have been made in Alaska by Alaskans including books written by Alaska Authors. To that end, preference will be given within all groups*

*except Group 1 to applicants who sell made in Alaska products and Alaskan authored books.*

## **Booth Selection**

Anchorage Market & Festival Manager will assign booths and tables in accordance with the above procedures. When a Vendor is the next to select a booth in accordance with the above procedures, Anchorage Market & Festival Manager will allow Vendor to select from any available booth for which Vendor is eligible, i.e. Food booth. Before selecting a booth the Vendor is encouraged to consider what they do and do not want in a booth location. Following are some of the criteria that Vendors may wish to consider:

- North or South facing – the sun may have a positive or negative effect on your products, i.e. chocolate melts, jewelry shines, wrapped photos may “sweat”;
- Traffic flow, entrances, street, cross streets within the market area;
- Noise, booths closer to the stage or restroom frontage (used for entertainment) will be louder, the public address system is located on the five light poles and the closer to those polls a booth is the louder the announcements will be;
- Restrooms and/or handicap parking across 3<sup>rd</sup> Avenue in the Post Office Mall Parking Lot may be serious considerations for some;
- Competition with the immediate area of the booth may be considered but is difficult to predict as Anchorage Market & Festival Manager does not control Vendors’ product selection other than for meeting the Anchorage Market & Festival family value guidelines and Vendors are allowed to change their product mix during the season.

Vendors may request to move to another available open booth after the season has commenced should they not be satisfied with their first selection.

## **Food Vendors**

The number of Vendors allowed to sell food items intended for consumption at the market will be limited to no more than 30 Food Vendors. It is in the best interest of the market to have as wide a variety of quality food items as possible available for market customers. New Vendors, if any, will be selected solely by the Anchorage Market & Festival Manager, giving preference to those Vendors who offer new and desirable food products. Anchorage Market & Festival Manager will attempt to limit to no more than two the number of food Vendors who sell a similar product and will attempt to select Vendors who offer unique products that no other Vendor is currently selling. Preference will be given for those Food Vendors who have a professional looking booth or trailer with sign, trained staff and appealing food presentation.

Each food Vendor may at time of application select one “exclusive” item per each 5’ width of space rented. No other food Vendor may sell this item. Items not claimed as exclusive by any Vendor may be sold by any Vendor after approval of Anchorage Market & Festival Manager. French fries, brewed coffee, hot or iced tea, smoothies, slushies and chili or cheeses used as an accompaniment are not eligible for selection as an exclusive item. Vendor must have exclusive items for sale in their booth each day of operation. Food Vendors must provide in writing to Anchorage Market & Festival Manager a list of all food and beverage items to be sold in their booth prior to Friday, April 15, 2011 for approval to avoid infringement upon exclusive rights of other Food Vendors. Anchorage Market & Festival Manager will be the sole judge of an item’s

similarity to exclusive item selected and appropriateness. Any menu changes must be made known in writing and approved by Anchorage Market & Festival Manager at least three days prior to their sale at market.

Because the number of Food Vendors is limited it is expected that all Food Vendors will contract for and participate in at least 15 Saturdays and 15 Sundays during the regular season of 18 Saturdays and 18 Sundays. Exceptions may be made for Food Vendors who participated in the 2010 Season and did not contract for or operate on Saturdays or did not contract for or operate on Sundays.

### **Deadline for Rent Payments**

Not less than 50% of the entire rental charge due for the entire initial contract term must be paid upon signing of the Lease Agreement. The entire balance must be paid in full by 4:00 PM AST on Friday, February 11, 2011. A Vendor who contracts for 15 or more Saturdays ***and*** 15 or more Sundays ***and who made payments when due during the 2010 regular season*** or is a new Vendor in 2011, may pay 25% of the contracted amount upon signing of the lease agreement; 25% of the contracted amount on or before February 11, 2011; 25% of the contracted amount on or before June 1, 2011 and the balance in full by July 1, 2011.

Payment in full will be due upon signing of all leases executed after February 11, 2011 except those who contract for 15 Saturdays and 15 Sundays or more.

### **Refunds of Pre-Paid Rent**

The Anchorage Market & Festival Manager will retain 25% of rents contracted and refund all other pre-paid amounts, for any reason, so long as Anchorage Market & Festival Manager receives written request for refund on or before Friday, October 15, 2010. No refunds will be made thereafter, except as noted in the lease agreement.

### **Administrative Fee**

Any payment owed by a Vendor that is not made within five (5) calendar days after its due date shall be subject to an administrative fee of One Hundred Dollars (\$100). Vendor acknowledges that late payment by Vendor to Anchorage Market & Festival of any rent or other sums due will cause Anchorage Market & Festival to incur costs not contemplated by Vendor's Lease Agreement, the exact amount of such costs being extremely difficult and impracticable to ascertain. Such costs may include processing and accounting/bookkeeping charges, labor, communication expenses, postage, etc. The parties hereby agree that such administrative charge is not a penalty and that it represents a fair and reasonable estimate of the costs that Anchorage Market & Festival will incur by reason of such late payment. Additionally, all delinquent payments shall bear interest at the then legal rate of interest as established by Alaska law and Vendor shall pay such interest to Anchorage Market & Festival on demand.

## **Alternate Payment Agreement**

Vendors who wish to participate in Anchorage Market & Festival but do not have funds available to meet with normal requirements may request to negotiate with Anchorage Market & Festival Anchorage Market & Festival Manager an Alternate Payment Agreement that will allow payments to be made in more frequent but smaller amounts. Extra charges are normally incurred and should be expected. The full lease amount is to be paid by July 1, 2011 and agreed payments not made by dates agreed are subject to the administrative fee.

## **Rentals and Space Fee Schedules**

A fee schedule for rentals and space will be established prior to each Anchorage Market & Festival season. Separate or additional fee schedules may be established for other categories, including:

- Certified Alaska Grown Produce Vendors selling only fresh, unadulterated produce
- Exclusive “multi-level franchise” lines, i.e. Mary Kay, Tupperware, etc.
- Exclusive rights to sell Anchorage Market & Festival logo items
- Non-profit organizations and Anchorage area youth groups
- Food Vendors
- Anchorage area children under age of 18

## **Rental Charges**

Base rental charges for Certified Alaska Grown Produce Vendors shall be 50% of the prevailing rate for other Vendors. All products sold by these Vendors are required to be “fresh”, unadulterated and in the raw state with no added ingredients. Anchorage Market & Festival Manager retains the right to lease any and all spaces. Base rental charges for all Vendors shall be determined by the number of market days covered by a single lease agreement and shall be in the following amounts per space per Saturday or Sunday:

<b>Number</b>	<b>Base Amount 10' Width</b>	<b>Base Amount 5' Width</b>
<b>1 to 6 Saturdays</b>	<b>\$ 95.00 per space</b>	<b>\$50.00 per space</b>
<b>7 to 10 Saturdays</b>	<b>\$ 90.00 per space</b>	<b>\$47.50 per space</b>
<b>11 to 14 Saturdays</b>	<b>\$ 85.00 per space</b>	<b>\$45.00 per space</b>
<b>15 to 18 Saturdays</b>	<b>\$ 80.00 per space</b>	<b>\$42.50 per space</b>
<b>1 to 6 Sundays</b>	<b>\$ 85.00 per space</b>	<b>\$45.00 per space</b>
<b>7 to 10 Sundays</b>	<b>\$ 80.00 per space</b>	<b>\$42.50 per space</b>
<b>11 to 14 Sundays</b>	<b>\$ 75.00 per space</b>	<b>\$40.00 per space</b>
<b>15 to 18 Sundays</b>	<b>\$ 70.00 per space</b>	<b>\$37.50per space</b>

Appropriate rate above is determined by number of Saturdays and Sundays reserved within one contract and is not accumulative during the season when multiple contracts are signed. Cost of each extra five feet space is \$1,125.00 per 2011 season and is available only to Vendors who lease their space for 15 to 18 Saturdays **and** 15 to 18 Sundays in the 2011 Season and is subject to availability of extra space on the Vendor’s assigned row or area. Maximum of 5 feet of purchased extra space will be allowed for any one Vendor, if space is available. Additional rental charges are due based on

certain variables. These charges are in addition to the above base rental charges. The following variables affect the additional rental charges: Headquarters Space Area, End Row Spaces, Electricity, Food Vendor Fee, Non-Profit Organizations, Restricted Sales and Exclusive Product Sales.

### **Subleasing**

The subleasing of booth space(s) is strictly prohibited. Only the Vendor appearing on the original Anchorage Market & Festival Lease Agreement may occupy the assigned booth space at any given time. Vendors requiring the assistance of business partners or family members to operate their assigned booth space(s) must receive permission from Anchorage Market & Festival Manager prior to the beginning of the Market day. If a Vendor is unable to occupy the leased rental space on any given Saturday or Sunday, it is necessary to contact the Anchorage Market & Festival Manager prior to 8:00AM of the contracted day that Vendor will be absent, thus providing the Vendor with an opportunity to receive a partial refund of \$20.00 (or 50% of rent paid, whichever is less) in the event the booth is resold by the Anchorage Market & Festival Manager **on days the market is completely sold out.**

### **Alaska Craft Tents**

Anchorage Market & Festival Manager will make available each market day a set-up tent or tents reserved for Alaskan Crafters where they or immediate members of their family may sell products they have made themselves or Alaskan Authors who are selling books that they have written. Each crafter or author will be provided one 30 inch wide by six-foot long table and one chair in the tent to display and sell their merchandise or books. Rates for use of the table on Saturdays are the same as if the Vendor were renting a booth space without tent, table or chair. Rates for Sundays are the same as if Vendor were renting a booth space without tent, table or chair, except Vendors who purchase a Saturday may purchase the next day, Sunday, at 50% of the normal rate.

### **Table Tent**

Anchorage Market & Festival Manager will make available upon request each market day a set-up tent or tents for Vendors who wish to use that space by renting a table. Each participating Vendor will be provided one 30 inch wide by six-foot long table and one chair in the tent to display and sell their merchandise. Rates for use of the table on Saturdays are the same as if the Vendor were renting a booth space without tent, table or chair. Rates for Sundays are the same as if Vendor were renting a booth space without tent, table or chair, except Vendors who purchase a Saturday may purchase the next day, Sunday, at 50% of the normal rate.

## **Tent Rentals**

Anchorage Market & Festival Manager will supply, set-up and tear-down a 10' x 10' EZUp Tent for an additional \$65 per single day or \$85 per two day weekend. Included will be two six foot tables, one chair, four sidewalls and weight bags. Vendor will be responsible for any damage to the tent or accessories. Price does not include space rental fees. A limited number of tents are available. Extra tables are available with advanced notice for \$10 per day/weekend. Day of use table rentals are \$20 per day/weekend. Anchorage Market & Festival Manager will supply a 10' rack for the hanging of a banner in front of a rental tent and hang a 10' x 3' or smaller banner (9'6" x 2' 6" is recommended) for an additional \$10 fee. Banner must be constructed of heavy duty commercial sign material and have grommets on the ends and in the middle.

Anchorage Market & Festival Manager will provide a 5' x 5' EZUp Tent set-up and ready-to-go for a rental charge of \$35 per day or \$45 per weekend. Included will be one four foot table, one chair, four sidewalls and weight bags. A limited number of tents are available. Rate does not include space rental fees. Renter is responsible for all damages.

## **Headquarters & End Cap Space Areas**

The additional rental charge for Leased Space near Anchorage Market & Festival Headquarters (booths 146, 148, 150, 152, 154, 156 W. Caribou Corridor will be \$25.00 per space per each market day. The additional rental charge for Leased Space in an end cap or preferential booth (booths 101, 102, 141 & 142 W. Caribou Corridor; 101, 102, 140, 142, & 155 E. Caribou Corridor; 101, 102, 139 & 140 West Moose Hollow; 101, 102, 156, & 157 E. Moose Hollow; 101, 102, 140 & 143 W. Bear Boulevard; 101, 102, 153, & 156 E. Bear Boulevard; 108 & 136 E. Aurora Avenue will be \$25 per space for each market day. Vendors occupying these booths must contract for at least 15 Saturdays and 15 Sundays in the 2011 Anchorage Market & Festival season.

## **Electricity**

A 110v/20amp duplex outlet or a single 240v/50amp outlet for electricity will be provided, as available, for an additional rental charge of \$20.00 per outlet each Saturday contracted and \$20.00 per outlet per each Sunday contracted. Food Vendors will be given priority in the assignment of available plugs and spaces with plugs.

Vendors applying for electrical service must submit on their booth request form a list of all electrical appliances to be used and each item's rated electrical needs in amps or watts as listed on the appliance's serial or faceplate.

Vendor must use only the electrical plug assigned to them and marked with their name. Vendor may not move their electrical cord to another plug without approval of Anchorage Market & Festival Manager. Power problems (outages) should be reported immediately to Anchorage Market & Festival Manager for reinstatement of power and resolution of problem causing the outage. Additional single plug 110v/20amp outlets may be available for additional \$10 per day to those requiring more than 20 amps of power. Please contact the Anchorage Market & Festival Manager for information.

Extension cords of adequate length are the responsibility of Vendor and should be the three wire/grounded type commercial type (essential for safety), as short as possible to reach from appliance to outlet with little or no extra cord, and of larger wire size, i.e. #12 rather than #16 wire size.

Vendors should start up one appliance at a time. Circuits will likely overload if everything is turned on at one time. Vendors should turn on the most essential appliance first and allow ample time to warm or initiate the appliance before turning on second appliance.

### **Food Vendor Fee**

Vendors selling food or beverage products, which are reasonably determined by Anchorage Market & Festival Manager, in its sole discretion, to be generally for consumption at or near the point of sale, will be required to pay an additional rental charge of \$20.00 per each 5 foot of booth space each Saturday contracted and \$15.00 per each 5' of booth space each Sunday contracted. If no charge is included in the Lease Agreement for a food Vendor fee, Vendors agree that they shall not sell or allow to be sold, from their Leased Space, such food or beverage products. Violation shall be a breach of the lease by Vendor and Anchorage Market & Festival Manager shall have the immediate right to terminate the lease and exercise other remedies available. Food Vendors must receive written permission from Anchorage Market & Festival Manager prior to changing the menu (adding or removal of items) originally stated on the Lease Agreement. The Anchorage Market & Festival Manager will attempt to limit to no more than two Vendors who sell the same or like main menu items. Anchorage Market & Festival Manager will select new Food Vendors based mainly on the uniqueness and desirability, in its sole opinion, of their products and their presentation. Duplication or similarity to products being sold by other Food Vendors will be avoided as much as possible.

Coke and other non-alcoholic beverages distributed by Coca-Cola of Alaska, Inc., including bottled water, have been designated as the official and exclusive non-alcoholic beverages to be sold at the Anchorage Market & Festival. This does not include brewed coffee, hot tea, hot chocolate products and non-finished beverages such as homemade lemonades and ethnic drinks. All Food Vendors are required to purchase Coca-Cola of Alaska, Inc.'s products directly from Coca-Cola of Alaska, Inc. The only soft drink and bottled water to be sold by Vendors shall be the 20 oz size. Coca-Cola of Alaska, Inc.'s products include 20 oz. bottled water, 20 oz. carbonated and non-carbonated sodas, fruit juices, energy drinks and sports drinks. Food Vendors are required to honor this agreement and will receive special pricing from Coca-Cola of Alaska, delivery services to the Market on Saturdays as well as free signs and other promotional items.

### **Returned Check Fees**

Should the bank for any reason return a Vendor's check there will be a \$25.00 fee assessed. This fee and the face amount of the check must be paid in cash or money order or certified check to Anchorage Market & Festival Manager within 5 days and prior to Vendor's entry to another Anchorage Market & Festival day.

## **Nonprofit Organizations**

Anchorage Market & Festival each market day will have available at no charge for the use of one or two local nonprofit organizations that are designated as such under Internal Revenue Code Section 501(c) (3) and provide appropriate documentation of this status, a double wide booth space with a set-up tent, sign rack, one or two tables and one or two chairs for use by selected nonprofit organizations to conduct their business. Groups may use this space a maximum of three Saturdays and three Sundays during the market season. Booth will be assigned by Anchorage Market & Festival Manager based on, in his sole discretion, the best and highest use for the community good. Community health projects will have priority. Usually two groups will be assigned to share this tent each weekend.

Local nonprofit organizations may request and receive one free stand-by space for up to three market days during Anchorage Market & Festival 2011 season, if space is available at 1 PM on the Friday proceeding a requested Saturday or Sunday. Anchorage Market & Festival must have on file a request for space on the organization's letterhead prior to the particular market day. Local nonprofit groups desiring reserved space or more than three free market-day stand-by spaces will be given a fifty percent (50%) discount on regular market prices for space rental for all days above the three free days. Anchorage Market & Festival operates 36 days in the 2011 regular season (18 Saturdays & 18 Sundays).

No beverages may be sold in the nonprofit booth. Food products may only be sold upon approval prior to the date of sale by the Anchorage Market & Festival Manager and with required permit or approval to sell by the Anchorage Health Department. No electric service is available to the nonprofit booth.

## **Exclusive Product Sales**

Exclusive rights to sell on a leased space a national multi-level franchise product, i.e. Mary Kay, Avon, Tupperware, Lip Sense, etc. will be granted to one Vendor in the Anchorage Market & Festival for the season. Franchise line exclusivity is \$200.00 per season for exclusivity on Saturdays and Sundays; exclusivity is based on franchise name, not product type. Vendor is obligated to have available for purchase or order multiple items for which exclusive rights were purchased on each of at least fifteen Saturdays and fifteen Sundays during the season and must be able to document such performance. Exclusivity will not be granted or sold for brand name consumer products.

Rights to sell national multi-level franchise products will be granted on a "first-come first-served" basis by product, except that, grandfather rights will be recognized for Vendors who held these rights in 2010 and completely fulfilled their contract. Exclusivity agreements must be signed and paid before Friday, October 1, 2010. Anchorage Market & Festival Manager will make known to all Vendors that an exclusivity agreement for these products has been signed. Vendors, other than the Vendor purchasing the exclusivity rights, may not display, advertise or sell those products in their booth.

## **Attendance & Punctuality**

All Vendors must sign in by 9:00 AM each market day with the customer service agent (E Street entrance by the Headquarters Building). Sign in is accomplished when Vendor gives preprinted entry pass to gate attendant. Vendors must be ready for business by 10:00 AM on each Anchorage Market & Festival day. **Space reservations and any monies paid for that Anchorage Market & Festival day shall be forfeited in the event a Vendor arrives after 9:00 AM.** Vendors arriving late should immediately check in with the Anchorage Market & Festival Manager and will be moved to the end of the stand-by waiting list and assigned any available space at no additional charge. In the event that a Vendor will be absent from the Market and gives advance notice to the Anchorage Market & Festival Manager prior to 8:00 AM of the contracted day to be missed, the Anchorage Market & Festival Manager will attempt to resell the booth. **If the Market is sold out** (all booths have been reserved) and the booth is resold, a refund of \$20, or 50% of base booth rate paid, whichever is less, will be mailed to the Vendor of record. No vehicle will be allowed to enter the Anchorage Market & Festival areas after 9:00 AM. For the safety of Vendors and market-goers, all vehicles must be out of Anchorage Market & Festival areas by 9:30 AM; except 9:00 AM for Vendors whose booths are located in Bear Boulevard or booths 108 E. thru 118 E. Aurora Alley.. If Anchorage Market & Festival Manager has not re-assigned a late arriving Vendor's space, the late arriving Vendor may occupy the space after signing in with the Anchorage Market & Festival Manager, but cannot drive a vehicle on the Anchorage Market & Festival area.

## **Stand-by List for Space**

Most market days all Anchorage Market & Festival booths are contracted to Vendors. However, many of the Vendors choose not to participate that day for a variety of reasons. When this happens, by contract, the Anchorage Market & Festival Manager has the right to keep the market full by re-selling the Vendor's forfeited booth. In an effort to do this in an organized and fair way, a "Stand-by Vendor" list and procedure has been established.

The stand-by list placement procedure is a simple first-come-first-serve based on the date prepayment of rent was made.

Booth space is assigned to a stand-by Vendor in one of two ways:

**Early Assignment** (cancellations before 4:00PM on the Friday prior to an Anchorage Market & Festival Day):

Vendors with assigned booth space are encouraged to call us and cancel their booth space if they will be absent. If they call before 8:00AM Saturday or Sunday morning for any contracted market date and their booth is sold to a stand-by Vendor, they will receive a \$20.00 (or 50% of amount paid, whichever is less) refund for making that call. This usually results in several advance calls per market day.

When a Vendor calls to cancel by 4:00PM on the Friday prior to a contracted Saturday Market date, the Anchorage Market & Festival Manager will then call the next Vendor on the stand-by list and offer the canceled booth space to that stand-by Vendor. When a stand-by Vendor is called for a booth assignment, they may turn down the first booth space offered for any reason. If the Anchorage Market & Festival Manager calls that

stand-by Vendor with a second booth offer and the stand-by Vendor does not accept this booth assignment, the stand-by Vendor will not be called again. The stand-by Vendor who accepts a booth assignment will remain at the top of the stand-by Vendor list and the Vendor will be required to show up on the contracted day at 9AM for their booth assignment. Should the stand-by Vendor fail to be present at 9AM on the contracted day, their booth fee for that day will be forfeited and no refund will be made.

The Anchorage Market & Festival Manager will call stand-by Vendors, if and when a booth is available. It is the Vendor's responsibility to make sure that the Anchorage Market & Festival Manager has a current contact phone number. The Anchorage Market & Festival Manager is often notified of a booth cancellation early on Saturday or Sunday morning. When this happens, the Anchorage Market & Festival Manager will call early and assign Stand-by Vendor's a booth number providing Vendor is available to receive the call or calls back within thirty minutes.

Make sure you have checked the market map in your Vendor Handbook and you know where your booth is located. Remember to look on the curb for the number written on the duct tape...this is the booth number...not the one on the sign.

### **Market Day Assignment:**

Market Day Assignment: Should a stand-by Vendor not receive a call by 4:00PM on the Friday prior to a contracted Market Day for which the Vendor is on stand-by status, they should pack up and be ready for Market. Chances are very high that they will still get a booth. Check in at the Headquarters building at the Anchorage Market & Festival no later than 9:00AM on the morning of the contracted day. **DO NOT PULL YOUR CAR INTO THE MARKET AREA.** You can find temporary parking in close-by lots. Do not park in the 3<sup>rd</sup> Avenue loading zone until you have a booth assigned. Showing up earlier than 9:00AM will not do you any good as we must, by contract, wait until 9:00AM to see if a booth is occupied. If not occupied by 9:00AM, we will re-assign that booth to stand-by Vendors. Starting at 9:00AM our staff checks each booth location and radios into the stand-by coordinator numbers of booths that are empty. Usually, there are several booths open on any given market day. The coordinator will, in turn, assign the booths to the stand-by Vendors assembled by the Anchorage Market & Festival Headquarters Building in the same order that the Vendors appear on the list. You must be present at the time your name is called to receive a booth. **NO REFUNDS WILL BE MADE IF YOU ARE NOT PRESENT TO ACCEPT A BOOTH ASSIGNMENT.** However, in the rare instances that we have more stand-by Vendors than available booths, refund of booth fees via check (credit memo if Vendor has balance owed) will be made on the next Tuesday or, at Vendor's request, the fees will be applied to pre-paid stand-by on another market day.

Once a Vendor receives a booth space they may then hand cart, carry, scoot or push their items to their assigned booth space. NO vehicles are allowed in market at this time. A Vendor may borrow a cart from the Anchorage Market & Festival when one is available, provided you return it to the storage area west of the restrooms immediately after unloading. You may wish to bring your own carts and helpers.

Stand-by Vendors are required to follow the same rules as other Vendors and should be familiar with your Lease Agreement and Vendor Handbook. Upon mutual agreement, stand-by Vendors may be assigned a booth that is less than the standard 10' feet wide x 15 feet deep space with no adjustment in rates.

## **Opening & Closing Anchorage Market & Festival**

The Anchorage Market & Festival Manager reserves the right to shorten any Anchorage Market & Festival day by minutes or hours, to allow Vendors to leave due to inclement weather (or for other reasons) while keeping the Anchorage Market & Festival open, to close the Anchorage Market & Festival, and to close Anchorage Market & Festival and then reopen it. The decision to do so rests with the Anchorage Market & Festival Manager during each Anchorage Market & Festival day.

Vendors' rights in such events shall be those set forth in their leases and as set forth in this Handbook which is itself part of each Vendor's lease. The decision of the Anchorage Market & Festival Manager shall be final.

In making this decision, the Anchorage Market & Festival Manager may be guided by considerations of convenience, weather or the like, and the decision may – but is not guaranteed to – facilitate or contribute to the health, safety or welfare of Vendors, their agents, servants, employees, guests, invitees, customers and others. Notwithstanding the fact that the Anchorage Market & Festival Manager has the discretion to so act, Anchorage Market & Festival does not, by doing so, undertake to protect the health, safety or welfare of such persons; the responsibility for doing so lies solely and exclusively with the Vendors.

## **Market Hours**

Vendors are **required** to be open for business – rain or shine – during Anchorage Market & Festival hours unless **prior** arrangements have been made with the Anchorage Market & Festival Manager. The Anchorage Market & Festival shall be open to the public during the hours of 10:00AM through 6:00PM local time each Anchorage Market & Festival day. The Anchorage Market & Festival Manager will attempt to communicate with Vendors in writing regarding an exception to this policy. Vendor agrees to operate the Leased Space continuously from 10:00AM through 6:00PM each Anchorage Market & Festival day that has been contracted. Prior planning, with respect to inventory, is essential. Vendors should plan for inclement weather by having ready for use a waterproof shelter, weights, heaters and other equipment necessary for operation during bad weather.

## **Parking & Access**

Vendors may arrive at the Anchorage Market & Festival as early as 6:00AM on Market days and remain until 8:30PM for the purpose of set-up and takedown. Vendor specifically agrees that it shall have no right of access to the Leased Space prior to the commencement or after the expiration of the stated term, for any purpose. Vendors arriving earlier than 6:00AM must leave the 3<sup>rd</sup> Avenue loading/bus zone open until the market staff has placed the fencing barricades along 3<sup>rd</sup> Avenue. Likewise, this zone must be open for retrieval of the fencing barricades by 7:15PM Sundays.

The first four hours (from 6:00AM to 10:00AM) and the last two and one half hours (from 6:00PM to 8:30PM) shall be used for set-up and takedown of the Vendor's equipment, furniture and other personal property. Vehicle access to and from the Leased Space shall be restricted to the period of 6:00AM to 9:30AM (9:00AM for Vendors in booths

located on Bear Boulevard) (**Note: All Vehicles must enter the market area prior to 9:00AM**) and 6:15PM to 8:30PM. All gates will be sealed at 8:30PM each Saturday of the market season.

Food Vendors may park their food trailers, not tents, in their assigned places on Friday evening provided their space is not being used by a parking lot customer and they pay the appropriate parking charge from time parked until 6:00PM. Food trailers must be removed on Sundays by 8:30 PM. Any time after 8:30PM must be paid at the appropriate parking rate. Parking after 9:00PM is discouraged as it interferes with the sweeping and cleaning of the lot.

Food Vendors may park trailers as early as 12:01AM on Fridays providing they have obtained a parking permit from Anchorage Community Development Authority (ACDA) as described below.

Vendors may purchase a seasonal weekend parking pass that is valid each market day in the Post Office Mall or Howard Johnson lots close to the Anchorage Market & Festival. These parking passes must be purchased at the ACDA's office on the second floor of the 6<sup>th</sup> Avenue parking garage, 700 West 6<sup>th</sup> Avenue during regular business hours M-F 7:30AM to 5:00PM. The permit cost \$50 for the season or \$25 for the remaining season after July 15. Anchorage Market & Festival Manager will enclose the proper Vendor ID and form with each contract when returned to Vendor that allows purchase of the seasonal pass. Vendors are not required to purchase this permit and may park in any legal location of their choosing. Meters are free on weekends but should not be used in front of local businesses.

A loading zone will be established on the Eastern end (between booths 142 to 158 E. Caribou Corridor) and Western end (between booths 140 to 154 W. Caribou Corridor) of 3rd Avenue each Anchorage Market & Festival day. This area may be used for expeditious loading and unloading for up to 15 minutes only. This limitation will be strictly enforced. The majority of 3rd Avenue will be used for loading, unloading and parking of tour buses between 9:30AM and 5:00PM. Vendors may not park in this area between these hours for any reason.

Vendors will use extreme caution in moving vehicles; maximum speed limit in the market area is 3 M.P.H., when safe. Any vehicle that is specifically authorized in writing to remain on the Leased Space during the term of the lease must sit entirely within the Leased Space. Vehicles are not permitted on the Anchorage Market & Festival area except as provided herein. All Vendors may use vehicles during set-up and takedown hours. Traffic in the Market Area is all one-way from West to East and North to South. Vendors who find they are in the wrong market street should exit the Market Area at the Southeastern 3<sup>rd</sup> Avenue exit and reenter at the E Street entrance.

Vendors are required to assist in facilitating efficient set-up and takedown by:

- Parking their vehicle as close to booth as possible and leaving center aisle open for traffic to continue past booth.
- Immediately upon arrival at booth location, unload vehicle and move vehicle to outside of Market area prior to set-up of tent or booth contents.
- Not entering Market area to load at the end of the day until all merchandise, tents and other booth items are packed and ready to load. Load vehicle as quickly as possible and immediately remove vehicle from the Market area.
- Turning off vehicle while loading, unloading or idling in traffic to assist in reducing noxious fumes.

- Not being overanxious about leaving the Market area after close of the business day. Booths are required to be open for business until 6:00PM each market day.
- Not blocking the traffic lanes on 3<sup>rd</sup> Avenue or E Street. Between the hours of 6:15PM and 6:30PM vehicles must be traveling South on E Street to be eligible to enter the market area to avoid congestion and gridlock on 3<sup>rd</sup> Avenue.
- Reducing to a minimum the number of vehicles and trips taken into the market area.
- Parking on the left side (North side) of the Moose Hollow when unloading or loading between the hours of 6:00AM and 9:30AM and 6:15PM and 7:00PM to allow traffic to continue to move on the right.

Vehicles and trailers may be used within lease area by Vendors during Anchorage Market & Festival hours only if they have a demonstrated need for the vehicle during market hours, the vehicle or trailer fits within the leased area and Vendor has obtained the prior written approval of the Anchorage Market & Festival Manager who will designate special placement designed to impose minimal impact on adjacent Vendors. This approval is usually limited to produce trucks and food trailers. Vendors grant the Anchorage Market & Festival Manager the right to require Vendors to move, or to remove at Vendor's sole cost and expense, any vehicle, equipment, furniture, or other property of any kind, which does not sit entirely within the Leased Space. Any emergency movement of vehicles during market operating hours shall be completed only with approval and supervision of the Anchorage Market & Festival Manager.

### **Use of Common Areas**

Common areas are designed to provide sufficient open areas for the common enjoyment of Anchorage Market & Festival visitors to pass from Vendor to Vendor without inconvenience or disruption. Accordingly, the Anchorage Market & Festival Manager will endeavor to prevent individuals from congregating, soliciting, selling, promoting or in any manner interrupting, impeding or interfering with the free and easy access of visitors as they attempt to visit Anchorage Market & Festival Vendors. Center of aisle may be used for sponsor & market signs, tables, benches, refuse containers, recycling bins and the placement of raffle vehicles, snow machines, boats, etc. at the sole discretion of the Anchorage Market & Festival Manager.

Roving entertainers, with prior approval of Anchorage Market & Festival Manager, may use open or common areas including the aisles. Entertainers may receive donations for their performances; however, if they provide a product (i.e. CDs or cassettes) for sale, they must lease a space from Anchorage Market & Festival. Another option is to arrange with the Entertainment Coordinator to perform on stage or in front of restrooms. Vendors who are inadvertently disturbed by the activities of roving entertainers are encouraged to contact the Anchorage Market & Festival Manager for resolution of the problem.

Vendors should consider use of common areas for activities described above when selecting their booth.

Hawking, making excessive noise or other disruptive activities by Vendors to draw attention to their booth or products is not allowed in the Anchorage Market & Festival. All Vendor activity must be confined to their leased area and should music, sounds or loud talk be audible from adjoining booths, Anchorage Market & Festival Manager will inform Vendor that the noise is disruptive and Vendor must take immediate actions to

lower to an acceptable level or eliminate the noise. No public address systems may be used in the Vendor booths.

## **Clean Up**

By the end of the term of the lease each Anchorage Market & Festival day (8:30 PM), Vendors shall remove all equipment, furniture, other property and trash from the Leased Space and surrounding area and shall leave the Leased Space and surrounding area in good order and broom cleaned. Vendor shall remove all trash from the Anchorage Market & Festival, or deposit trash in the containers located throughout the market area. Vendors should endeavor to place trash in trash cart pushed through the aisles by market staff regularly throughout the day. All trash should be placed in a heavy duty garbage bag not weighing more than 30 pounds when filled and placed to the edge of the aisle by 7:30PM each market day for market employees to pick-up. **Trash left after 7:30PM will be Vendor's responsibility to remove from the market area.**

In using the Leased Space, Vendor shall not damage the Leased Space or surrounding area, or apply markings or other signs or things of any kind to the Leased Space and surrounding area. Vendor shall not intentionally or accidentally cause or allow any substance of any kind to be spilled, dropped or placed upon or around the Leased Space, or surrounding area, unless such item can be readily and easily removed or cleaned off entirely, by sweeping or rinsing with water. No nails or screws or anchors may be embedded into the asphalt paving of the parking lot.

No substance other than clear, clean water may be poured down the parking lot or street drains, as this is a storm sewer emptying directly into Cook Inlet. Solids should be strained from liquids and disposed of in sealed plastic bags in the normal trash containers. Minor amounts of liquids may be disposed of in the utility sink of the restroom facility (less than 3 gallons per food Vendor). Additional quantities of liquids should be removed from the market area by Vendor and properly disposed of in an approved facility in accordance with good industry practice and Municipality of Anchorage ordinances. All oil and grease or shortenings should be placed in the provided grease barrel or removed from the market area.

Food Vendors are encouraged to provide protective covering for their lease area to prevent grease and other containments from staining or damaging the asphalt. Use of deep fryers not inside a trailer mandates the use of some form of acceptable absorbent ground fryer covering to prevent grease from leaking onto the asphalt. Grease or other spilled items must be cleaned up prior to end of market day. Should Anchorage Market & Festival Manager need to clean a Food Vendor's leased space due to spills, the Food Vendor shall be responsible for the cost of the cleanup. The minimum charge to the Vendor occupying that space that day for such cleanup will be \$75.00 per occurrence. This amount or the actual cost of the cleanup must be paid in full prior to Vendor's next day at Anchorage Market & Festival.

Vendor shall be liable to Anchorage Market & Festival Manager for any and all costs incurred by Anchorage Market & Festival in cleaning or removing or in causing to be cleaned or removed, any substance of any kind which is left upon the Leased Space, or surrounding area, or which is left upon areas around the Leased Space and which came to be upon the area around the Leased Space as a result of the actions or inaction of the Vendor, its agents, servants, employees, contractors, guests or invitees.

## **Signs, Display & Placement**

All of Vendor's equipment, furniture, items offered for sale or otherwise displayed, and all other property of any kind maintained on the Leased Space during the term of lease shall be clean, neat, attractive and presentable as determined in the sole discretion of Anchorage Market & Festival Manager, and shall be of a kind and character, the appearance of which is suitable for and consistent with the Anchorage Market & Festival Mission Statement and the Intended Atmosphere and Use, as determined in the sole and absolute discretion of the Anchorage Market & Festival Manager. No sign or other Vendor owned item may be placed outside of the lease area's boundaries at any time.

## **Security**

Anchorage Market & Festival Manager will supply minimal plant security for the protection of its own premises, for the advancement of its own interests, and for the enforcement of the Anchorage Market & Festival Manager's decisions in a manner that avoids disputes or other breaches of the peace.

Market staff personnel may incidentally observe and undertake to prevent disputes, breaches of the peace, or other violations of law related to Anchorage Market & Festival premises, rights and interests. The fact that Anchorage Market & Festival staff or contracted security personnel do so should not be interpreted as a decision by Anchorage Market & Festival Manager to undertake full security for Anchorage Market & Festival.

Responsibility for the health, safety and welfare of Vendors, their agents, servants, employees, invitees, guests and customers remains the sole and exclusive responsibility of Vendors. Should Vendors determine that security is necessary they shall supply security at their own cost and expense. Anchorage Market & Festival Manager, its agents, servants, employees or contractors will not be involved in incidences of theft or shoplifting other than to provide phone usage to call the police and/or other security.

## **Leaving Equipment and Merchandise Overnight**

Anchorage Market & Festival Vendors who participate in both Saturdays and Sundays, and retain the same booth for both days, may leave their tent or shelter in place and any equipment or merchandise they desire with the understanding that it is left at their own risk and peril. Anchorage Market & Festival Manager will attempt to secure the market area from 8:30PM Saturday to 6:00AM Sunday by use of private security guards and/or market staff personnel but can make no guarantee that theft or damages will not occur. The Anchorage Market & Festival Manager, its agents, servants, employees or contractors shall not be responsible for any Vendor losses or of damages to equipment or merchandise due to fire, theft, vandalism or for any other reason. Vendors leaving items should be aware of the wind and weather considerations in the Market Area and insure that their tents and other items in their leased space are securely tied down with sandbags or weights.

No Vendor or other market personnel other than security guards and Anchorage Market & Festival Manager will be allowed in the Market Area from 8:30PM Saturday through 6:00AM Sunday. Violators will be subject to arrest for trespassing.

## **Advertising, Promotions and Special Events**

Anchorage Market & Festival Manager will devise and implement an advertising and promotion program to encourage Anchorage visitors and residents to regularly participate in the festivities and shop at Vendor's booths as well as established downtown merchant's facilities. Quantity of advertising will be dependent upon available revenues from the rental of booths and sale of sponsorships. Vendors are encouraged to help promote Anchorage Market & Festival by displaying signs, decals or other provided materials on their vehicles and other appropriate venues. Anchorage Market & Festival Manager will designate and advertise certain days as special promotional days. Vendors are encouraged to participate in these promotions by displaying a "Participating Vendor" sign and offering a discount or free gift to the target audience, i.e. Mother's Day, Armed Forces Day, etc.

Vendors are encouraged to attach a legible sign to their booth stating the name of the business. Voluntary compliance will help enhance the professional appearance of Anchorage Market & Festival. The Anchorage Market & Festival Manager reserves the right in its sole discretion to approve all signage.

The Anchorage Market & Festival Manager encourages all Vendors, merchants, and their employees to wear personalized nametags indicating their first name.

Anchorage Market & Festival Manager may make available for purchase by Vendors and the general public items of clothing, shopping bags, decals, stickers and other items that display the Anchorage Market & Festival logo.

## **Speakers Corner**

Based on availability, and to the extent there is interest, the Anchorage Market & Festival Manager will make available certain limited space for use by volunteer (uncompensated) speakers, debaters, or others making presentations, vocally, visually, or by handout, or those collecting signatures on topics of general community interest. Space granted for these activities will not conflict with, obstruct, or in any way impede uses by Vendors and Anchorage Market & Festival visitors. Such space shall be the exclusive space available for such use at the Anchorage Market & Festival. All parties making use of such space shall do so in a manner that is consistent with the Anchorage Market & Festival Mission and the Intended Atmosphere and Use. If such individuals are being compensated, they must request leased space in the dedicated promotional area. All petitions and gathering of signatures must be done only within ones booth area or at Market entrances.

## **No Interfering Use**

Vendor, its agents, servants, employees, invitees, guests, customers, or other persons authorized by Anchorage Market & Festival Manager to use Anchorage Market & Festival area shall not use all or any portion of the Anchorage Market & Festival area in a manner which impedes, obstructs or interferes with any other Vendor's leased space or, any Vendor's ability to conduct business operations from its leased space, or in a manner which impedes, obstructs or interferes with the free flow of pedestrian traffic throughout the Anchorage Market & Festival area.

All persons authorized by Anchorage Market & Festival Manager to use any portion of the Anchorage Market & Festival area whether pursuant to a lease agreement or otherwise, shall be bound by the provisions of this Handbook.

### **Release and Agreement Not To Sue**

Vendor releases and forever discharges Webb's Consulting & Management Services, Inc., the Anchorage Market & Festival Manager, its agents, servants, employees and contractors and their successors in interest (hereinafter collectively referred to as "Releasees") from all actions, suits, claims, demands and damages of every kind and nature, including but not limited to those beyond the inherent risk of a outdoor market, whether special, incidental, consequential or otherwise, mature or to mature in the future, arising out of or in any way connected with the relationship created by the Lease Agreement between Vendor and Webb's Consulting & Management Services, Inc., Vendor's occupancy and/or use of the Anchorage Market & Festival area or any portion thereof, or any acts, omissions, faults or negligence of Releasees.

Vendor agrees not to sue the Releasees for any of the matters released above. In the event Vendor breaches this Agreement Not To Sue, Releasees shall be entitled to recover their actual reasonable attorney's fees and costs in defending against any action brought by Vendor.

### **Logo Use**

Webb's Consulting & Management Services, Inc. is the owner of and claims copyright and trademark protection for the Anchorage Market & Festival logo and has the sole and exclusive right to use, market, license and profit from use of logo. Vendors wishing to use the Anchorage Market & Festival logo must apply in writing to the Anchorage Market & Festival Manager. Any use without express written approval is strictly prohibited. Use will be encouraged in appropriate circumstances.

### **Product Pricing and Competition**

Pricing of goods sold at the Anchorage Market & Festival is solely the responsibility of Vendors. Competitive pricing is encouraged.

No exclusives are granted to any Vendor at Anchorage Market & Festival other those addressed earlier regarding multi-level franchises and Food Vendors. It is likely that other Vendors will offer for sale items similar or identical to those sold by another Vendor, and often within close proximity. It is the Vendors sole responsibility to ensure that their products are competitive in price, quality and other criteria. Should a Vendor wish to move to another location to avoid a competitor, or for other reasons, Anchorage Market & Festival Manager will assist, providing that an open space is available where requested, and move is made the next weekend or later after request is made.

### **Health & Regulatory Matters**

Vendor and all other personnel authorized by Anchorage Market & Festival Manager to use all or any portion of the Anchorage Market & Festival area shall comply with any and

all Federal, state and local laws, statutes, enactment's, rules and regulations of any kind or nature whatsoever in the use of Anchorage Market & Festival area. Vendors selling fresh or frozen fish shall also provide Anchorage Market & Festival Manager with copies of appropriate Municipality of Anchorage and/or State of Alaska permits and certificates.

All Vendors selling food product of any type, including wrapped candy bars, bottled soda, chips, etc. are required to obtain a Municipality of Anchorage Health Permit. Further, food employees must have a current food handler's card. Contact Janine Nesheim, R.S., Municipality of Anchorage, Department of Health & Human Services, Environmental Services Division, 825 L Street (Post Office Box 196650) Anchorage, AK 99519-6650. Call 343-4815 or fax 249-7311 or Email nesheimjr@muni.org for more information. Copies of current Municipality of Anchorage Health Department permits to operate in the Anchorage Market & Festival shall be delivered to the Anchorage Market & Festival Manager before Vendor first occupies leased space.

All Food Vendors must have market staff attend a fire extinguisher training course as required by the Anchorage Fire Department. Courses are valid for two calendar years and one person with a valid certificate of training must be present all hours that booth is operating. Cost of training is usually about \$25 per person. All propane tanks must have a minimum of a 20' hose to ensure that the tank is located a minimum of 10' from any open flame. Any food Vendor using fire or heat must have a K-Class fire extinguisher with current certification in their tent or trailer at all times.

Pets (animal, reptile or other) will be allowed in lease space or elsewhere on Anchorage Market & Festival area provided they are securely caged or leashed within the Vendor's leased space. The public is allowed to bring pets, on leashes, into the Market area, provided they are in compliance with Municipality of Anchorage Code Title 17. Owners agree to immediately remove aggressive animals and clean up after their pets. Live animals may not be sold in Anchorage Market & Festival without prior approval of Anchorage Market & Festival Manager and proof of compliance by Vendor with all applicable federal, state and local laws and licensing requirements.

## **Safety**

Vendors agree to keep any open flame, or other combustible material(s) away from any canopy or covering, and to conform to all fire safety requirements, laws and regulations and to maintain an operable and appropriate fire extinguisher on Vendor's premises. Further, Vendors will be responsible for insuring their tents, tables, inventory and other items located in their leased space area are securely anchored with weight bags or bricks weighing at least 40 pounds on each leg of a tent in case of wind gusts or other inclement weather conditions. Vendors remain solely responsible for any damages caused by items within their leased area or by their vehicles while in the market area and are encouraged to obtain liability insurance in a sufficient amount to cover such potential damages.

## **Insurance**

Any Vendor serving food for onsite consumption or to go, including fish and fresh produce, shall maintain general and product liability insurance in an amount not less than \$500,000 and shall include the Anchorage Market & Festival Manager (Webb's Consulting & Management Services, Inc., 741 East 13<sup>th</sup> Avenue, Anchorage 99501-

4621), as “additionally insured parties” in its product liability insurance and other applicable policies. Copies of these policies or appropriate certificates of insurance shall be delivered or faxed (907-272-5635) to the Anchorage Market & Festival Manager before Vendor first occupies leased space.

### **Policy Exception**

The Anchorage Market & Festival Manager has the authority in its sole discretion to grant exceptions to Anchorage Market & Festival policies on an individual basis. Suggested improvements or changes to existing policy may be made in writing and given to the Anchorage Market & Festival Manager. Anchorage Market & Festival Manager will review policy changes and up to a month may be required for a response.

### **Change of Address or Telephone**

Vendors are responsible for ensuring that the Anchorage Market & Festival Manager has a record of their current addresses, telephone numbers and email address.

### **Conflicts**

Where verbal direction or policy may be interpreted to conflict with the Vendor Lease Agreement, the Lease Agreement and written policies shall be the prevailing authority.

### **Product Restrictions**

The Anchorage Market & Festival Manager currently reserves the option of not leasing space to Vendors whose activities or products do not assist in fulfilling the Anchorage Market & Festival Mission as determined in the Anchorage Market & Festival Manager’s sole discretion. The right to establish categories and quality standards for items to be sold at Anchorage Market & Festival is reserved by the Anchorage Market & Festival Manager. Only new items or items determined by the Anchorage Market & Festival Manager to be authentic antiques or collectibles generally recognized as valuable among a broad base of collectors will be allowed to be sold at the Anchorage Market & Festival. Garage sales or garage sale items are prohibited. Sale of used paperback books is not allowed. Sale of pull-tabs or “rip-pies” or lottery tickets is prohibited. Sale of raffle tickets is limited to non-profit organizations who possess a State of Alaska gaming permit, operate all aspects of the raffle themselves and limit sale to persons 18 years of age or older.

Vendors who have not paid food fees may not sell or give away any food or beverage for onsite consumption except that Vendors may sell cookies and other baked goods, with permission of the Anchorage Health Department. Vendors may give away samples of food or beverages in portions of 2 ounces or less providing the items and dispensing methods have been approved by the Anchorage Health Department and the items dispensed is compatible with Anchorage Market & Festival Sponsorship agreements and does not compete with our Food Vendors. Anchorage Market & Festival Manager will be sole judge of what is appropriate.

Vendors acknowledge that they will not display, promote, or sell drugs, alcohol, drug paraphernalia, firearms, air guns, BB guns, paintball guns, paintball supplies, fireworks,

stink bombs, poppers, violent, dangerous, lethal martial arts items, lewd, erotic or pornographic material or displays; or engage in or promote loud, disruptive or boisterous behavior. Sale of knives, swords or non-lethal martial arts weapons to persons under the age of 18 is prohibited and Vendors selling these items must display a sign provided by Anchorage Market & Festival Manager indicating that sales to persons under the age of 18 is prohibited by market policy.

## **Sponsorships**

The Anchorage Market & Festival Manager may enter into sponsorship agreements with various companies or organizations that include restrictions on what brand of products may be sold at Anchorage Market & Festival, i.e., soft drinks, potato chips and similar items. Vendors agree to abide by these sponsorship agreements as a condition of their contract providing such notice is given at least 30 days in advance of a market date.

## **Suggestions**

The Anchorage Market & Festival Manager and the Anchorage Market & Festival Advisory Committee welcome suggestions from Anchorage Market & Festival Vendors and their employees. It is requested that suggestions be in writing and placed in the suggestion box located at Anchorage Market & Festival Headquarters or mailed to the Anchorage Market & Festival Manager, 741 East 13<sup>th</sup> Avenue, Anchorage, AK 99501-4621. Email [info@anchoragemarkets.com](mailto:info@anchoragemarkets.com).

## **Anchorage Market & Festival Manager Enforcement**

These policies and rules have been created to ensure that the Anchorage Market & Festival experience is as fun, profitable and fair as possible for the Vendors, customers and staff of Anchorage Market & Festival. While the Anchorage Market & Festival Manager will devote energy to enforcement of the provisions of this Handbook and the leases, Vendors shall not hold the Manager or its agents, servants, employees and contractors responsible for any real or perceived lack of enforcement of such provisions. These policies and lease provisions give the Anchorage Market & Festival Manager the option but not the obligation of enforcement. The provision of each lease and of this Handbook, which is, incorporated into each lease, bind the parties to each lease and create and confer no rights or benefits in favor of any third party.

Thank you for reading through this Handbook. Our single goal is to ensure that the 2011 Anchorage Market & Festival season is safe, fun and profitable for everyone involved. Thank you for being part of the Anchorage Market & Festival. We look forward to a successful, profitable and fun 2011 season.



**2011 Important Dates**

<b>Saturday, August 20, 2010</b>	<b>Vendor Information Available</b>
<b>Friday, October 1, 2010</b>	<b>Deadline for Exclusive Applications</b>
<b>Friday, October 15, 2010</b>	<b>Deadline for Grandfather Rights</b>
<b>Friday, February 11, 2011</b>	<b>Balance Due If Less Than 15 Saturdays and 15 Sundays (25% Due If 15 Saturday and 15 Sundays or More Are Contracted)</b>
<b>Friday, April 15, 2011</b>	<b>Deadline for Food Menu Submission</b>
<b>Saturday, May 14, 2011</b>	<b>First Day of Anchorage Market &amp; Festival for 2011 Season.</b>
<b>Wednesday, June 1, 2011</b>	<b>25% Due If 15 Saturdays and 15 Sundays or More Contracted</b>
<b>Thursday, July 1, 2011</b>	<b>Balance Due If 15 Saturdays and 15 Sundays or More Contracted</b>
<b>Monday, July 4, 2011</b>	<b>Independence Day (<i>Promotion on July 2 &amp; 3</i>)</b>
<b>Monday, September 5, 2011</b>	<b>Labor Day (<i>Promotion September 3 and 4</i>)</b>
<b>Sunday, September 11, 2011</b>	<b>Last Day of Anchorage Market &amp; Festival for 2011 Season</b>

# 2011 Season

## HEADQUARTERS

- 1st Aid
- Announcements
- Lost & Found
- Wheel Chairs
- Strollers
- ATM
- Check-In
- Bags
- Information
- Market Manager

## IMPORTANT INFORMATION

- Be safe...all traffic within the market area is **ONE WAY** and must move West to East at all times. Make sure everyone in your booth knows the rules.
- Enter by E Street and Exit at the East 3rd Avenue Exit by the farmers...**ONLY!**
- Entry Gate closes at 9:00 AM. All vehicles must be out of Market Area by 9:30 AM. Bear Boulevard must be clear by 9:00 AM.
- All vehicles entering the market area between 6:15PM—6:40PM must be traveling South on "E" Street.

## LEGEND

- ☪ Drain
- ⚡ Light Pesticide Speaker
- ⚡ Electrical Service
- Red = H.Q. or End Gap Booth (extra charge)

# SAFETY FIRST!

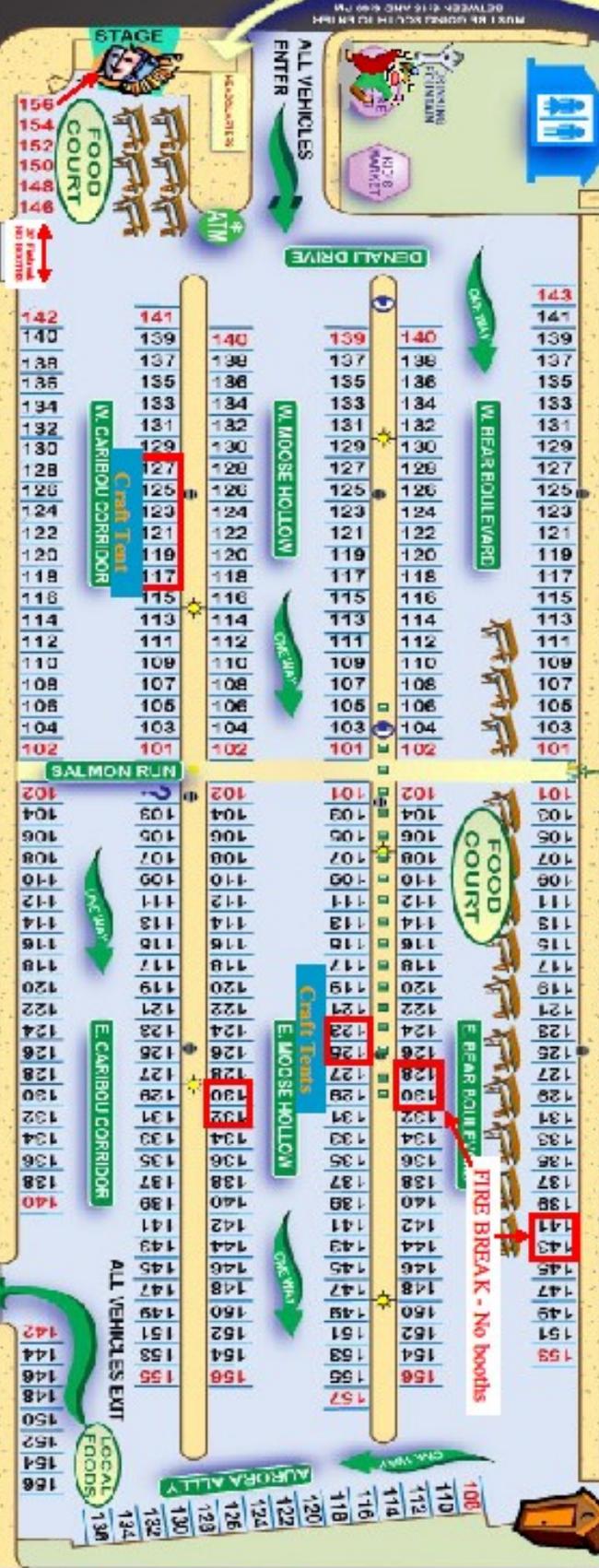
# SAFETY FIRST!

15 MINUTE LOADING ZONE

TOUR BUS ZONE

3RD AVENUE

15 MINUTE LOADING ZONE





# 2011 Anchorage Market & Festival Vendor Booth Request Form

Return this form with signed lease agreement and deposit to:

Webb's Consulting & Management Services, Inc.  
741 East 13<sup>th</sup> Avenue, Anchorage, AK 99501-4621

Phone 272-5634 Fax 272-5635 [info@anchoragemarkets.com](mailto:info@anchoragemarkets.com)

**Make Checks Payable To: Anchorage Market & Festival**

Name: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Business: \_\_\_\_\_ Cell: \_\_\_\_\_

Home: \_\_\_\_\_

Email: \_\_\_\_\_

URL <http://www>. \_\_\_\_\_

**Note:** *Vendors contracting for 15 or more Saturdays or 15 or more Sundays will be listed on our web site unless they tell us they do not want to be listed... [ ] We do **NOT** want to be on Anchorage Market & Festival website.*

Products Sold: \_\_\_\_\_

First year that you participated in Downtown Saturday or Sunday Market: \_\_\_\_\_

2010 Saturday Booth Address \_\_\_\_\_ for \_\_\_\_\_ Saturday Market days.

2010 Sunday Booth Address \_\_\_\_\_ for \_\_\_\_\_ Sunday Market days.

**Mark below which days that you wish to participate in the 2011 season:**

<input type="checkbox"/> Saturday May 14	<input type="checkbox"/> Saturday June 25	<input type="checkbox"/> Saturday August 6
<input type="checkbox"/> Sunday May 15	<input type="checkbox"/> Sunday June 26	<input type="checkbox"/> Sunday August 7
<input type="checkbox"/> Saturday May 21	<input type="checkbox"/> Saturday July 2	<input type="checkbox"/> Saturday August 13
<input type="checkbox"/> Sunday May 22	<input type="checkbox"/> Sunday July 3	<input type="checkbox"/> Sunday August 14
<input type="checkbox"/> Saturday May 28	<input type="checkbox"/> Saturday July 9	<input type="checkbox"/> Saturday August 20
<input type="checkbox"/> Sunday May 29	<input type="checkbox"/> Sunday July 10	<input type="checkbox"/> Sunday August 21
<input type="checkbox"/> Saturday June 4	<input type="checkbox"/> Saturday July 16	<input type="checkbox"/> Saturday August 27
<input type="checkbox"/> Sunday June 5	<input type="checkbox"/> Sunday July 17	<input type="checkbox"/> Sunday August 28
<input type="checkbox"/> Saturday June 11	<input type="checkbox"/> Saturday July 23	<input type="checkbox"/> Saturday September 3
<input type="checkbox"/> Sunday June 12	<input type="checkbox"/> Sunday July 24	<input type="checkbox"/> Sunday September 4
<input type="checkbox"/> Saturday June 18	<input type="checkbox"/> Saturday July 30	<input type="checkbox"/> Saturday September 10
<input type="checkbox"/> Sunday June 19	<input type="checkbox"/> Sunday July 31	<input type="checkbox"/> Sunday September 11

**Booth (s) Requested:** *You may put down a general location, i.e., between 121 W Caribou & 101 W Caribou. This will give you a better chance to get a booth in the area that you want. The more information that you provide us about the location you prefer, the better we can try to accommodate your request. Specify North or South facing, the aisle name and East or West; if it is important to you.*

First Choice: \_\_\_\_\_ Second Choice: \_\_\_\_\_

■ OVER -

1. Type of tent, trailer or shelter you will use and dimensions:

10' x 10' EZ Up or Caravan       Other tent: Brand \_\_\_\_\_ Width \_\_\_\_\_ x Length \_\_\_\_\_  
 Trailer: Width \_\_\_\_\_ x Length \_\_\_\_\_ Where are doors & windows (Include sketch of trailer)

*Note: A standard booth space is 10' wide by 15'-20' deep. Extra booth space is available in 5' increments only to Vendors leasing space for 15 or more Saturdays and 15 or more Sundays, but is subject to availability of extra space on the Vendor's assigned row or area. Additional 5' space cost is \$1,050.00 per 2010 season. Maximum of 5 feet of purchased extra space will be allowed for any one Vendor, if space is available.*

2. Please circle the **ONE** product category that best describes the items that you will sell in your booth at Anchorage Market & Festival in 2009 Season:

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Alaska Grown Vegetables   | <input type="checkbox"/> Fiber Art, Sewn Items, Cloths, Quilts | <input type="checkbox"/> Knives & Ulus            |
| <input type="checkbox"/> Alaska Grown Plants       | <input type="checkbox"/> Fine Art                              | <input type="checkbox"/> Lawn & Garden            |
| <input type="checkbox"/> Art Prints & Note cards   | <input type="checkbox"/> Fishing & Hunting                     | <input type="checkbox"/> Metal Art                |
| <input type="checkbox"/> Body Care Products, Soaps | <input type="checkbox"/> Food for consumption at Market        | <input type="checkbox"/> Music & Videos           |
| <input type="checkbox"/> Books & Publications      | <input type="checkbox"/> Food to go including seafood          | <input type="checkbox"/> Pet Items                |
| <input type="checkbox"/> Candles                   | <input type="checkbox"/> Fur & Leather Products                | <input type="checkbox"/> Photography              |
| <input type="checkbox"/> Ceramics & Pottery        | <input type="checkbox"/> Furniture & Home Furnishings          | <input type="checkbox"/> Sculptures & Carvings    |
| <input type="checkbox"/> Clothing & Apparel        | <input type="checkbox"/> Gifts                                 | <input type="checkbox"/> Services (Massage, etc.) |
| <input type="checkbox"/> Collectables              | <input type="checkbox"/> Glass Art, Stained Glass              | <input type="checkbox"/> Signs & Banners          |
| <input type="checkbox"/> Dolls                     | <input type="checkbox"/> Handcrafted Items                     | <input type="checkbox"/> Toys & Games             |
| <input type="checkbox"/> Educational               | <input type="checkbox"/> Holistic Health                       | <input type="checkbox"/> Wildflower Art           |
| <input type="checkbox"/> Electronics               | <input type="checkbox"/> Jewelry, Beads & Beadwork             | <input type="checkbox"/> Woodcrafts               |

3. Products are Made In Alaska Permitted? All -- Yes No Some -- Yes No  
Alaska Grown -- Yes No Silver Hand -- Yes No

4. If Vendor needs electric, then you **must** list each appliance that requires electricity and its electrical rating in amps or watts as listed on its nameplate. Please be accurate as this is essential to ensure you have adequate electrical service.

Item	Volts	Watts	Amps	Item	Volts	Watts	Amps
Lights				Grill			
Fan				Soup Pots/Kettles			
Oven				<i>Other:</i>			
Microwave							
Deep Fryer							

5. If you are selling food, list the main items that you wish to sell. Each food vendor may at time of application select one "exclusive" item per each 5' width of space rented. A maximum of two vendors are allowed to sell the same main item at Anchorage Market & Festival. We will attempt to give exclusivities for one or two items to each Food Vendor. You must notify us of any change to your menu and receive permission before selling that item. Certain items may be limited to one Vendor who is selling that item as their main items, i.e. Lemonade, Cotton Candy, Carmel Apples, Roasted Corn on the Cob, Gyros, Pizzas, etc.

**Food Vendors must provide in writing to Anchorage Market & Festival Manager a list of all food and beverage items to be sold in their booth prior to Friday, April 15, 2011 for approval to avoid infringement upon exclusive rights of other Food Vendors.**

Category	First Item	Second Item
Main Items	Exclusive:	Exclusive:
Other Items Sold		

# 2011 ANCHORAGE MARKET & FESTIVAL VENDOR LEASE AGREEMENT

This lease agreement is entered into as of this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by and between WEBB'S CONSULTING & MANAGEMENT SERVICES, INC. DBA Anchorage Market & Festival (hereinafter "Lessor or Promoter"), located at 741 East 13<sup>th</sup> Avenue, Anchorage, AK 99501-4621 and \_\_\_\_\_ (hereinafter "Tenant").

**1. AGREEMENT**

For and in consideration of Tenant's agreement to pay rent in exchange for Lessor's agreement to let space to Tenant on the terms, covenants, and conditions set forth hereafter, Lessor does hereby lease, demise, and let unto Tenant and Tenant does hereby hire and take from Lessor the portion of the Anchorage Market & Festival Area (more fully described in paragraph 6 of this lease) specified in paragraph 2 below (said portion being referred to hereafter as the "Leased Space").

**2. TERM: LEASED SPACE**

- a. *The term of this lease shall commence at 6:00 a.m. Alaska Daylight Savings Time on each of the Saturdays or Sundays designated hereafter, for which Tenant has paid, in advance, the appropriate rental charges set forth below and the term shall end at 8:30 p.m. Alaska Daylight Savings Time, on each Saturday; or on each Sunday; or on the Sunday should both days have been contracted within one week.*
- b. The Leased Space and the days included in the term of this lease, so long as Tenant has paid the appropriate rental charge in advance, shall be the space numbers noted hereafter for the days noted next to the space numbers (SB indicates stand-by status with no booth number currently assigned and J(n) indicates table in the Craft's Tent):

**2011 Booth Address:**

Lease Dates	Lease Dates	Lease Dates
1 <sup>st</sup> Week _____ Saturday 05/14/11 _____ Sunday 05/15/11	7 <sup>th</sup> Week _____ Saturday 06/25/11 _____ Sunday 06/26/11	13 <sup>th</sup> Week _____ Saturday 08/06/11 _____ Sunday 08/07/11
2 <sup>nd</sup> Week _____ Saturday 05/21/11 _____ Sunday 05/22/11	8 <sup>th</sup> Week _____ Saturday 07/02/11 _____ Sunday 07/03/11	14 <sup>th</sup> Week _____ Saturday 08/13/11 _____ Sunday 08/14/11
3 <sup>rd</sup> Week _____ Saturday 05/28/11 _____ Sunday 05/29/11	9 <sup>th</sup> Week _____ Saturday 07/09/11 _____ Sunday 07/10/11	15 <sup>th</sup> Week _____ Saturday 08/20/11 _____ Sunday 08/21/11
4 <sup>th</sup> Week _____ Saturday 06/04/11 _____ Sunday 06/05/11	10 <sup>th</sup> Week _____ Saturday 07/16/11 _____ Sunday 07/17/11	16 <sup>th</sup> Week _____ Saturday 08/27/11 _____ Sunday 08/28/11
5 <sup>th</sup> Week _____ Saturday 06/11/11 _____ Sunday 06/12/11	11 <sup>th</sup> Week _____ Saturday 07/23/11 _____ Sunday 07/24/11	17 <sup>th</sup> Week _____ Saturday 09/03/11 _____ Sunday 09/04/11
6 <sup>th</sup> Week _____ Saturday 06/18/11 _____ Sunday 06/19/11	12 <sup>th</sup> Week _____ Saturday 07/30/11 _____ Sunday 07/31/11	18 <sup>th</sup> Week _____ Saturday 09/10/11 _____ Sunday 09/11/11

**3. RENTAL CHARGES**

a. Saturday Base rental charge for certified Alaskan grown produce farmers shall be 50% of the rate charged other Vendors per 10' wide space per Saturday as detailed in Vendor Handbook. Base rental charges for all Vendors shall be determined by the number of Saturdays covered by this lease and shall be in the following amounts per 10' x 15' space per Saturday;

**One (1) – Six (6) Saturdays or Stand-by Vendors: \$95      Seven (7) – Ten (10) Saturdays: \$90**  
**Eleven (11) – Fourteen (14) Saturdays: \$85      Fifteen (15) – Eighteen (18) Saturdays: \$80**

b. Sunday Base rental charge for certified Alaskan grown produce farmers shall be 50% of the rate charged other Vendors per 10' wide space per Sunday as detailed in Vendor Handbook. Base rental charges for all Vendors shall be determined by the number of Sundays covered by this lease and shall be in the following amounts per 10' x 15' space per Sunday;

**One (1) – Six (6) Sundays or Stand-by Vendors: \$85      Seven (7) – Ten (10) Sundays: \$80**  
**Eleven (11) – Fourteen (14) Sundays: \$75      Fifteen (15) – Eighteen (18) Sundays: \$70**

*The rate determined under these sub-paragraphs is the "Base Rate" and is applicable to days contacted under this lease agreement. Additional lease agreements signed for 2010 season will determine rates based on number of days contacted in that agreement.*

## Page Two of Vendor Lease Agreement

Additional rental charges are due based on certain variables fully described in the Anchorage Market & Festival Handbook. The parties agree that the amount of rent due under this lease, including amounts due for Base Rent and for additional charges is as follows:

**Contracted Saturdays:**

Saturday Base Rate \$ \_\_\_\_\_ x \_\_\_\_\_ (# of spaces): \$ \_\_\_\_\_

Saturday Headquarters/End Cap area space: \$25 x \_\_\_\_\_ (# of spaces): + \_\_\_\_\_

Saturday Electricity: \$20 x \_\_\_\_\_ (one duplex plug outlets): + \_\_\_\_\_

Additional Electricity: \$10 x \_\_\_\_\_ (# of additional duplex plug outlets): + \_\_\_\_\_

Saturday Food Vendor Fee: \$20 per day x \_\_\_\_\_ (# of 5' width leased space): + \_\_\_\_\_

**Saturday Terms: 50% of rent due at signing of lease agreement; balance due February 11, 2011**

**Daily Saturday Rate:** \$ \_\_\_\_\_

**Number of Saturdays Contracted:** x \_\_\_\_\_

**Total Rent Due for 2011 Saturdays:** \$ \_\_\_\_\_

**Contracted Sundays:**

Sunday Base Rate \$ \_\_\_\_\_ x \_\_\_\_\_ (# of spaces): \$ \_\_\_\_\_

Sunday Headquarters/End Cap area space: \$25 x \_\_\_\_\_ (# of spaces): + \_\_\_\_\_

Sunday Electricity: \$20 x \_\_\_\_\_ (# of duplex plug outlets): + \_\_\_\_\_

Additional Electricity: \$10 x \_\_\_\_\_ (# of additional duplex plug outlets): + \_\_\_\_\_

Sunday Food Vendor Fee: \$15 per day x \_\_\_\_\_ (# of 5' width leased space): + \_\_\_\_\_

**Sunday Terms: 50% of rent due at signing of lease agreement; balance due February 11, 2011; except Vendors contracting for 15 to 18 Saturdays & 15 to 18 Sundays may pay 25% down; 25% due February 11, 2011; 25% due June 1, 2011 and balance due July 1, 2011.**

**Daily Sunday Rate:** \$ \_\_\_\_\_

**Number of Sundays Contracted:** x \_\_\_\_\_

**Total Rent Due for 2011 Sundays:** \$ \_\_\_\_\_

Exclusive Fee: Saturday & Sundays \$200 per season \$ \_\_\_\_\_

Additional 5' booth space: \$1,125.00 \$ \_\_\_\_\_

Other Charges: Set-up Tent Rental, etc. \$ \_\_\_\_\_

**Total 2011 Rent Due Under This Lease (Saturdays + Sundays + Exclusives + Other)** \$ \_\_\_\_\_

ADDITIONAL IMPORTANT TERMS AND PROVISIONS APPEAR ON PAGE 3 OF THIS LEASE. THESE ADDITIONAL TERMS AND PROVISIONS AND THE ENTIRE ANCHORAGE MARKET & FESTIVAL VENDOR HANDBOOK ARE A PART OF THIS LEASE AND ARE BINDING ON TENANT.

IN WITNESS WHEREOF, the parties have caused this lease to be duly executed, intending to be legally bound hereby as of the day and year first above-written.

TENANT: (Print) \_\_\_\_\_

Signature: \_\_\_\_\_

Business Name\*: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

\*Same as name on Alaska Business License

**LESSOR: Webb's Consulting & Management Services, Inc.**

By: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Products to be sold: \_\_\_\_\_

**Date Paid:** \_\_\_\_\_ **Check #** \_\_\_\_\_ **Cash** \_\_\_ **Visa** \_\_\_ **MasterCard** \_\_\_ **Discover** \_\_\_ **Amount: \$** \_\_\_\_\_ **By** \_\_\_\_\_

Credit Card # \_\_\_\_\_ Expires \_\_\_/\_\_\_/\_\_\_ Name \_\_\_\_\_ 3-Digit \_\_\_\_\_

**(Once processed, credit card number will be blacked out for security reasons.)**

Original to Vendor & Copy to Market Manager

**4. BALANCE OWED**

In the event any balance of rent owed is not paid when due, the lease shall be deemed terminated at the option of Lessor, any reserved space shall be released, and the amount paid shall be forfeited.

**5. FOOD AND MERCHANDISE**

If no charge is shown above for a food vendor fee, Tenant agrees that Tenant shall not sell, from the Leased Space, food or beverage products which are reasonably determined by Lessor, in its discretion, to be generally intended for consumption at or near the point of sale. **Tenant also agrees that if Tenant sells merchandise, it shall only sell new items or items, which Lessor determines in its discretion, to be authentic antiques or collectibles generally recognized as valuable among a broad base of collectors, and shall not sell garage-sale type items.** Should Tenant fail to comply with these restrictions, this shall be a breach of this lease by Tenant and Lessor shall have the immediate right to terminate this lease and exercise other remedies available to the Lessor.

**6. ANCHORAGE MARKET & FESTIVAL AREA**

The Anchorage Market & Festival Area is more particularly described as that area encompassing the area known as the "Lower Bowl Parking Lot" located between C and E Streets and 3<sup>rd</sup> and 2<sup>nd</sup> Avenues.

**7. LESSOR'S RIGHT TO SUBSTITUTE SPACE/ LIMITS ON LEASED SPACE**

a. Lessor reserves and Tenant grants the right to Lessor to substitute spaces other than the Leased Space, at any time and for any reason whatsoever, in Lessor's sole and absolute discretion, provided that Tenant is given the number of spaces in the Anchorage Market & Festival Area for which Tenant has paid, in advance, the rental charges set forth herein.

b. Tenant specifically acknowledges and agrees that the Leased space shall include only the area of the surface of the Anchorage Market & Festival Area (and the air space above this area, to a height of 15 feet) within the area designated as the Leased Space. This lease confers no right with respect to the subsurface below the surface of the Anchorage Market & Festival Area; no right with regard to air space above a height of 15 feet; and no right to an easement for light or air.

**8. TENANT'S INDEMNITY**

Except for those matters caused solely by Lessor's intentional (as opposed to negligent) actions, or those of its agents, servants, employees, or contractors, Tenant shall indemnify, defend, and save and hold Lessor harmless from and against any and all claims, suits, actions, damages, liabilities or expenses (including actual attorney's fees and costs) arising from or out of, or in any way related to or connected with, Tenant's occupancy of the Leased Space or the use by Tenant or its agents, servants, employees, or contractors, guests, or invitees of the Leased Space or the Anchorage Market & Festival Area.

**9. LESSOR'S RIGHTS**

a. Should Tenant default in payment or performance of any obligation of Tenant hereunder, Tenant agrees that Lessor shall have, in addition to each and every remedy available at law or in equity, the following rights and remedies which may be exercised by Lessor at its discretion and without prior notice to Tenant: the right to self-help enforcement of Tenant's obligations and Lessor's rights, the right to specific enforcement of Tenant's obligations, the right to immediate possession of the Leased Space, the right to physically remove all of Tenant's property, from the Leased Space and from the Anchorage Market & Festival Area, and the right to store, dispose, or discard any or all of such property at Lessor's sole discretion and at Tenant's expense and on Tenant's account.

b. Lessor reserves the right to terminate this lease at any time, to shorten the term of this lease by months, by weeks, by days, by hours, or by minutes, and to make different, fewer, or less Leased Space available to Tenant, for any reason or for no reason, all in Lessor's sole and absolute discretion, and without prior notice to Tenant.

c. Lessor shall only be required to refund pre-paid charges to Tenant if Lessor cannot provide Tenant the same number of spaces called for hereunder or if a presently scheduled Anchorage Market & Festival does not occur at all. In such event, Lessor shall refund to Tenant only that portion of Tenant's pre-paid rental charges applicable to the amount of space Lessor did not make available to Tenant or applicable to the Anchorage Market & Festival that did not occur. Tenants who do not claim reserved or pre-paid space by 9:00 a.m. on a contracted day have forfeited right to the space and any rent or deposit monies, freeing Landlord to reassign the space(s) to another or other Tenants, for the balance of that day.

**10. TENANT'S EXCLUSIVE REMEDY**

Tenant acknowledges and agrees that its sole and exclusive remedy under this lease shall be to require Lessor to refund rental charges not earned by Lessor as set forth herein. Tenant specifically waives any and all other rights or remedies which might otherwise be available to Tenant at law or in equity, specifically including the right to seek damages, including but not limited to lost profits, whether special, incidental, consequential or otherwise, except only the right to seek reimbursement of pre-paid rents not earned by Lessor as set forth herein.

**11. ANCHORAGE MARKET & FESTIVAL HANDBOOK**

Tenant acknowledges and agrees that it has received and read the Anchorage Market & Festival Vendor Handbook ("Handbook") provided by Lessor. All of the terms and provisions of the Handbook are incorporated into this lease, are a part of this lease, and define and limit rights and responsibilities of Lessor and Tenant. Specifically, the Handbook contains important provisions, which, among other things, set forth Lessor's rules and regulations and place restrictions on Tenant's use of the Leased Space. By signing this lease Tenant accepts and agrees to be bound by these and all other terms and provisions set forth in the Handbook.



FARMERS' LEGAL  
ACTION GROUP  
INCORPORATED

# Understanding Farmers' Market Rules

By Jess Anna Speier and Jill E. Krueger  
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Farmers' markets are booming in popularity around the country. They are popular with consumers seeking fresh, local food. They are popular with farmers moving toward direct marketing of their products. And they are popular with beginning farmers and immigrant farmers. This article is intended to help farmers understand their responsibilities and rights as vendors at a farmers' market. The article begins by looking at some of the commonly used rules of the market that most often give rise to misunderstandings. In addition to market rules, a vendor's rights and responsibilities may also be governed by federal, state, and local laws. This article highlights some of the relevant laws which might apply.

**Read and understand the rules.** The starting point for understanding the rules applicable in *your* market should be reading *your* market rules or your contract. If you do not have a copy of your market rules to review and keep in your records, you should request a copy from the market manager.

This article is written for educational purposes only and cannot substitute for an experienced lawyer who is up to date on the latest changes in relevant local, state, and federal laws and who has reviewed your market rules. For legal advice about your own situation, consult an attorney in your area.

## Farmers' Market Rules

To help the market run smoothly, farmers' markets generally set out the rights and responsibilities of the vendors in the market rules. Understanding the rules of the market can help farmers comply with the rules and prevent misunderstandings. Understanding the rules can also help farmers to know if they are being treated like other vendors at the market.

An agreement or contract signed by a farmer and a market, stating the farmer's intention to comply with all of the market rules in order to participate as a vendor, creates a legally binding agreement between the farmer and the market. Provisions setting forth a farmer's rights and responsibilities as a farmers' market vendor may be contained in the farmers' market rules, or in an agreement or contract between the market and the farmer. If a farmer must join a producers' association in order to sell at a



market, the rules of the producers' association, often referred to as by-laws, may set forth additional rights and responsibilities. In general, this article uses the term "market rules" to refer to all of these sources.

We reviewed several sets of market rules, agreements, and contracts for this article. Each market's rules were different, but some terms were common to many of them. Below is a discussion of some of the commonly used rules and some of the rules that most often give rise to misunderstandings.

**Note:** Like laws, market rules may change. The process for changing market rules is generally addressed in the rules, producers' association by-laws, or contract.

### Eligibility

Each market has different guidelines to establish who can participate as a vendor in the market. Below are four of the most common factors for vendor eligibility.

#### **1. "Producer Only" Markets**

To ensure that the benefits of the local market go directly to the local producers of the products, some markets limit their vendors to producers only. A "producer only" market is a market in which participating vendors may only sell what they produced themselves.

#### **2. "Carrying"**

"Carrying" is selling or distributing products that the vendor did not produce. Put another way, if a vendor is carrying, he or she is selling products produced by other people. Such vendors are called dealers. Some markets allow carrying, other markets do not.

**Cooperatives and Carrying.** Whether a farmer cooperative is eligible to participate as a vendor in a farmers' market may depend on whether the farmers' market allows carrying. Some farmers' markets consider cooperatives to be vendors who are carrying because many producers contribute products to be sold by the cooperative, and the person representing the cooperative at its stall would not have produced all of the goods offered for sale. Other farmers' markets consider cooperatives to have produced the food themselves, as if the cooperative were a single producer. In that case, the cooperative is not carrying, as long as the food was produced by a member of the cooperative.

### **3. Production Location**

Farmers' markets are often created to benefit local farmers, to maximize freshness, and to minimize the distance and travel required to connect the products with the consumer. In order to achieve that goal, many markets limit eligibility to farmers who produced their food within a certain region, county, or number of miles from the market.

### **4. Product Diversity**

In order to establish a market with diverse products, some markets have rules for farmer eligibility based on what they wish to sell. A market may provide a list of specific products which may or may not be sold. Other markets may require farmers to submit applications listing what products they will sell. That list is then reviewed by the market to determine whether the listed items are needed. Eligibility to sell products at these markets may depend on whether the farmer's products, or similar products, are already being sold by a vendor at the market.

### Market Operations

Market rules establish how the market is going to operate from the management of the market to details related to the stalls and resolution of disputes. It is important for a vendor to comply with the market's stated operational rules since failure to comply may affect the farmer's ability to sell at the market. Below are several of the common terms used in market rules to address market operations and areas where questions may arise.

#### **1. Management**

Day-to-day management of a farmers' market is generally the responsibility of the market manager. However, farm inspections, dispute resolution, and other management decisions may also involve the producers' association, the market's board of directors, or a committee of vendors from the market selected to be a governing body. Vendors with questions or conflicts with the market manager may seek out assistance from those groups as well.

◆ **Market Manager.** Most farmers' markets have a market manager who is responsible for running the market. Depending on the size of the market, the market manager may be a volunteer or a full-time employee. The market manager usually has the authority to enforce the market rules, and the responsibility to ensure that all of the vendors are treated in a manner consistent with the rules. Market managers can also be a useful resource

for vendors with questions regarding the operation of the market and the market rules.

◆ **Inspections.** Many market rules have a provision requiring farmers to agree to allow the market to inspect their farms to ensure compliance with the market rules. For example, if a farmer is participating in a market that requires all of the products sold to be raised within 20 miles of the farmers' market, the rules may also provide for the market manager or another person to visit the farm and confirm that it is within that distance, and that it appears to have the capacity to produce the amount of food the farmer plans to sell.

## 2. Fees

Participation in a farmers' market as a vendor usually requires paying a fee, but fee requirements vary considerably. Some markets require payment of dues for membership in the market or producers' association, charge annual fees for use of the stall, or charge rental fees at a monthly or daily rate. Other fees may be assessed for things like maintenance and electricity for refrigerators. Markets which allow carrying may also have different fees for farmers and dealers.

Most markets require that the fee be paid before selling at the market, although some allow the fee to be paid in installments. Generally, failure to pay the required fee by the due date or payment of less than the full amount due will result in the market denying the farmer the right to sell at the market. However, one set of market rules reviewed for this article had a provision for relief from the fee deadline because of a hardship due to health or natural disaster.

## 3. Stalls

Farmers' markets have rules for the process of assigning stalls to vendors so that each vendor will have a defined place to display and sell items. The market rules should clearly spell out whether specific stalls will be assigned, the duration of that assignment, and how the stall assignments will be made. Some markets may operate simply on a "first-come, first-served" basis for each day the market is open. Other markets may promise that the vendor will get a stall, but may not promise a particular stall to the vendor. Still other markets may assign a specific stall to a vendor for the season. Some markets give priority for stall space to vendors based upon seniority, or how long they have sold at that market. Other markets may assign stalls based on the products sold or based on the order in which vendors sign up and pay the fee each season.

**Stall assignments** can be a source of confusion and misunderstandings. Because vendors may desire particular stalls, they often have questions about these rules. First, vendors should try to understand their market's rules regarding stall assignments. Then they should try to find out whether the rules are being applied to all vendors. If the rules are not being applied to all vendors, the vendor may want to raise this concern with the market manager. If the problem is with the market manager, the vendor may want to raise his or her concerns with the producers' association or the governing body of the market, such as a board of directors. If the vendor believes the rules themselves are unfair, he or she may try to change the rules, again by approaching the market manager, the producers' association, or the governing body of the market.

◆ **Occupation of Stalls.** Many farmers' markets have rules setting a specific time by which vendors must be present and ready for business on market days. Rules that require vendors to occupy stalls by a certain time on market days create opportunities for the unoccupied stalls to be rented to temporary and daily vendors.

◆ **Vacancies.** In addition to assigning market stalls at the beginning of the year, a market may also have rules for assigning or renting stalls when vacancies occur. Short-term vacancies are usually rented to temporary or daily vendors. Long-term vacancies may be made available to current annual stallholders before being made available to others. Market rules may also address whether any of the fees paid by the vendor who originally had the stall assignment will be refunded.

◆ **Daily/Temporary Vendors.** Most farmers' markets allow daily or monthly rentals of stalls in addition to seasonal rentals. As discussed above, an opportunity for daily rental may arise when seasonal renters do not occupy their stalls by the required time, or some stalls may be reserved for short-season products. Market rules generally provide procedures or priorities for stall assignments to temporary or daily renters. Vendors should check the rules or clarify with the market manager whether daily or temporary rental to a vendor is for one day or whether it is for the whole market weekend. Eligibility for temporary or daily stall assignments is typically similar to those for annual vendors, and markets often set a fee for such vendors.

◆ **Subleasing.** Vendors often wish to keep their stall even if they will be unable to use it at a given time.

Most market rules address whether a stall can be sublet or assigned to another individual. A “sublease” occurs when another person rents the stall from the original vendor for a particular period, but the original vendor maintains responsibility under the contract or agreement. “Assignment” of the right to occupy the stall is similar, but the responsibilities under the contract are assigned to the new vendor.

Some markets allow subleases or assignment of the right to occupy the stall only with approval of the market manager, or only to a family member. Other markets do not allow subleasing or assignment of the right to occupy the stall at all. One farmers' market contract reviewed for this article revoked the right to participate in the market if a vendor attempted to assign his or her rights under the contract. However, even if a farmers' market's rules do not allow for subleases or assignments, they may allow for a stall to pass to a family member upon the death of the vendor.

◆ **Electricity/Refrigeration.** Markets may provide access to electricity for some or all stalls. Many market rules address the need for electricity in stalls for vendors who sell products requiring refrigeration. Most markets require the vendor to pay for the electricity costs for his or her stall. The market may charge either a flat fee or a fee based upon actual electricity used.

#### 4. Markets and Minor Children

Markets have a variety of approaches to the role of children in the market. For example, some markets allow children under the age of 18 to be involved in sales at vendor stalls, but only if supervised by a parent or other adult. Market rules regarding children participating in the market are in addition to any child labor laws that may apply.

#### 5. Dispute Resolution

Market rules generally provide a means for resolving disputes. Common disputes may be between two vendors at the market, or vendors or potential vendors and the market or market manager. The market rules likely provide a process for resolving disputes between vendors. The market manager generally has a role in resolving disputes between vendors which may be as informal as trying to resolve the dispute by speaking with each vendor. However, some market rules provide a more formal process, which may or may not involve the market manager as the decision maker regarding the dispute. The more formal process may include specific complaint procedures for vendors to follow or may establish a committee of participating vendors to review

disputes. Additionally, some markets' formal process for resolving disputes allows for appeal of decisions made by the market manager. In some cases, mediation may be available.

In general, farmers' markets which are government-sponsored must provide vendors with due process of law. Although there are few reported court decisions involving farmers' markets, the market rules may also contain provisions regarding attorney fees or costs in the event a dispute leads to a lawsuit or requires the services of an attorney.

**Disputes between a vendor and the market manager may arise.** That kind of dispute can be difficult to resolve if the market rules require the market manager to resolve disputes. To resolve the dispute, a vendor should first try to understand his or her market's rules regarding the disputed matter. The vendor should also try to understand the market's rules about dispute resolution, and if there are specific provisions for the process of resolving a dispute if the dispute is with the market manager. Vendors may want to raise their concerns with the producers' association or the governing body of the market, such as a board of directors. If a vendor believes the rules being enforced by the market manager are unfair, he or she may try to change the rules by approaching the market manager, the producers' association, or the governing body of the market.

#### 6. Penalties and Contract Termination

Market managers are often authorized to take a variety of actions to enforce the rules of the farmers' market. Two of the most commonly provided actions for enforcement of market rules are financial penalties and termination of the right to sell at the market.

◆ **Penalties.** Some farmers' market rules set out penalties for vendors who fail to comply with the rules of the market. Penalties may include monetary fines. Fines may increase with the number of violations a vendor has committed. Penalties may also include having to appear before members of the producers' association.

◆ **Contract Termination.** Market rules often address when, how, and by whom the contract between the market and the vendor can be terminated.

Some market rules may have provisions labeled “termination.” However, whether or not a set of market rules includes a section labeled “termination,” it is a

good idea to read the market rules and become aware of provisions that could lead to termination. Some market rules provide specific examples of actions or failures to act that could cause termination. For example, if a vendor does not pay a required fee by the date it is due, that failure could result in termination of the right to sell at that farmers' market. Some market rules state that several absences from the market may lead to termination of the right to participate in the market. Another example, discussed above, involves termination of the right to sell if a vendor attempts to sublease or assign his or her stall to another individual.

Under some market rules, a vendor who seeks to end the contract, or who simply ceases to participate in the market, may forfeit the fees he or she paid. Under other market rules, such a vendor may be eligible for a refund of some of the fees.

## 7. Insurance

There are risks involved in participating in a farmers' market. For example, an employee could be injured while working on your farm or bringing your products to the market. A customer could be injured while purchasing something from your stand, or a customer could become sick from a product you sold to him or her. There are also risks of crop loss due to bad weather or disease.

◆ **Liability Insurance.** Many farmers' markets require vendors to purchase their own liability insurance. Some market rules require a specific amount of insurance coverage. They may also require that the farmer provide proof of insurance. The required proof of insurance is typically a document that shows insurance coverage for sales activities at the market. A few farmers' markets or farmer associations provide a group insurance policy rather than requiring the vendors to purchase individual policies.

Farmers with questions regarding obtaining a policy to address their specific business needs may want to consult an insurance agent. Even farmers whose markets do not require insurance may want to consider whether to purchase premises and liability insurance. Farmers who already have a farm premises or liability insurance policy should check with their insurance agents to see if it will cover the risks related to their business at the market.

◆ **Crop Insurance.** While generally not required by market rules, one other form of insurance farmers may want to consider is coverage for their crops. Many commercial crops are eligible for either the Federal Crop

Insurance Program, or for the Non-Insured Crop Disaster Assistance Program (NAP) administered by the United States Department of Agriculture. Farmers who are interested in crop insurance or NAP coverage should contact their local Farm Service Agency office to find out whether they are eligible. The Farm Service Agency can provide a list of crop insurance agents. The Farm Service Agency can also provide a list of insurance or NAP application deadlines by crop. In general, farmers must apply for coverage during the eligibility period (before the start of the crop year) and maintain records that will allow them to prove their acreage and yield history.

**A note about record keeping.** In addition to keeping a record of the market rules for their market, it is also a good idea for farmers to keep records of their production and performance, including acres (or fields or rows) planted, yields, expenses, produce sold, price per unit sold, and produce not sold and brought home after a day at the market. Records can be helpful if conflicts arise and for planning purposes for the following season. Records may also help to show if a farmer qualifies for a loan. Records of crop production history are also essential if natural disaster strikes a crop.

## Local, State, and Federal Laws

In addition to the market rules, a farmer's participation in the market may be governed by local, state, and federal laws. Depending on the state, county, city, or town where the market is located, farmers may need to comply with laws regarding many things, including licensing and permits, food handling and safety, collecting and reporting sales tax, labor issues, and farming practices.

In many of the market rules reviewed for this article, the markets placed the burden of compliance with relevant laws on the vendor. However, a farmer must comply with relevant laws whether or not the market rules indicate that compliance is necessary. The market manager may be able to provide information regarding relevant laws, but it is the farmer's responsibility to obey them. Farmers may need to contact state and local agencies to find out the requirements and then take the necessary steps to comply.

It is not possible in this article to discuss all of the local, state, and federal laws that might apply to farmers' market vendors across the United States. To provide an ex-

ample of the types of laws that might apply, this section briefly discusses some relevant federal laws and state laws in Minnesota. For Minnesota farmers, this discussion is general and does not constitute legal advice. For farmers in states other than Minnesota, keep in mind that laws in your state may be different. For advice about your particular situation, consult an attorney.

### **Licensing Laws**

Many state and local governments generally require persons to obtain a license before selling food. Applicants for a food vendor's license in these states and localities may need to demonstrate knowledge of safe food handling, be inspected, and pay a fee. However, some food licensing laws include exemptions for farmers selling at farmers' markets. For example, in Minnesota there are exceptions that may apply to farmers selling products of the farm or garden.

Farmers should consult authorities in their state to find out whether they are required to obtain a license in order to sell food at a farmers' market. In addition to contacting state officials, farmers may also want to contact local officials where the market is located to find out about any additional licensing requirements. For example, vendors selling processed or prepared foods at the Saint Paul Farmers Market in Minnesota are required to have a City of Saint Paul "Farmers Market" license.

### **Food Safety Laws**

A variety of food safety laws could apply to farmers participating as vendors in farmers' markets. Those laws might address a variety of issues including the storage, display, and transportation of food. Food safety rules are often addressed in farmers' market rules. However, a vendor must comply with any relevant state and federal laws as well.

### **Labeling**

There are many laws related to labeling of food products. In general, persons must comply with government requirements for labeling of food products. However, some exemptions from those rules may apply to market vendors.

In addition to including their farm or "brand" name on labels, some farmers may seek approval to make a particular label claim to certify production methods or production location. Examples of these types of claims might include "USDA Organic" or "Minnesota Grown."

**For more information on food labeling in Minnesota**, including the Minnesota Grown label, contact the Minnesota Department of Agriculture, Dairy and Food Inspection Division at 651-201-6027.

### **Tax Laws**

Tax law is extremely complex, and it can be difficult to know exactly what is required in order to comply with the tax requirements under state and federal law. Many farmers' market rules discuss tax issues, and most market rules explicitly require vendors to comply with state and federal tax laws. State and federal tax laws may include laws regarding income, employment, sales, and use taxes. Vendors may be required to collect and maintain records regarding sales tax. Tax requirements may vary based on what products the vendor sells. Some cities and counties have sales tax requirements as well. For more information on tax requirements, farmers should contact the state and federal departments of revenue. Farmers should also consider seeking expert tax advice for their particular situation.

**For more information about license requirements in Minnesota, and whether exceptions to the requirements apply to you and your products**, contact the Minnesota Department of Agriculture, Dairy and Food Inspection Division at 651-201-6027. The general rules regarding requirements to obtain a license in order to sell food in Minnesota can be found in Minnesota Statutes Chapter 28A. Under an exception to Minnesota's rules requiring a license to sell food, farmers need not obtain a license to sell products of the farm or garden occupied and cultivated by them. The meaning of this exception was addressed by the Minnesota Supreme Court in 2005 in the case of *State of Minnesota v. Hartmann*. In general, the court ruled that farmers are exempt from the requirement to obtain a license to sell products of their farms, but farmers may still be bound by other laws about production and sale of food products. The Minnesota Department of Agriculture has apparently taken the position that farmers must obtain a license to sell food products, if those products contain even some ingredients that were not produced on the farm. However, other exemptions may apply to sales at farmers' markets or community events, as well as to certain home-processed and home-canned foods.

**For more information about Minnesota tax requirements**, contact the Minnesota Department of Revenue (MDR) at 651-282-5225 or [www.taxes.state.mn.us](http://www.taxes.state.mn.us). The following helpful fact sheets are available on the MDR website:

Agricultural Production, Sales Tax Fact Sheet 100

Food and Food Ingredients, Fact Sheet 102A

Prepared Food, Sales Tax Fact Sheet 102D

Food Stamps, Sales Tax Fact Sheet 115

Local Sales and Use Taxes, Sales Tax Fact Sheet 164

For more information on federal tax requirements, contact the United States Internal Revenue Service (IRS) at 1-800-826-1040 or [www.irs.gov](http://www.irs.gov).

### **Labor Laws**

Labor law is also extremely complex. Farmers who hire employees to assist with production or sales must comply with any applicable labor laws. However, many labor laws have exemptions for agricultural work. Some of these exemptions may apply to farmers' market activities.

**For more information about labor laws**, including child labor laws, contact the Minnesota Department of Labor and Industry (DOLI) at 800-342-5354 or [www.doli.state.mn.us](http://www.doli.state.mn.us) and the United States Department of Labor, Employment and Standards Division at 612-370-3371 or [www.dol.gov](http://www.dol.gov).

### **Discrimination**

In addition to laws that must be obeyed by farmers' market vendors, other laws may protect vendors. For example, laws against discrimination may protect farmers. State and federal laws prohibit discrimination based on factors such as race, color, national origin, sex, marital status, sexual orientation, religion, age, receipt of government benefits, or physical or mental handicap in some situations. These laws may apply to your farmers' market. If you believe the farmers' market has unlawfully discriminated against you because of one or more of these factors, you may seek to resolve the dispute as provided in the market rules, or you may want to consult an attorney.

## **Federal Support for Farmers' Markets**

### ***1. USDA's Farmers' Market Nutrition Programs (FMNP)***

Congress and USDA established two Farmers' Market Nutrition Programs (FMNP) to provide access for low-income persons to fresh, uncooked, and nutritious food produced by local farmers, while expanding the use and awareness of farmers' markets. The two programs are the Women, Infants, and Children (WIC) Farmers' Market Nutrition Program and the Senior Farmers' Market Nutrition Program. These programs are funded by state and federal money but are administered through state agencies. Individual farmers and farmers' markets can participate in this program. The FMNP provides program participants with coupons or Electronic Benefit Transfer (EBT) debit cards to use only at farmers' markets. Market vendors may accept the coupons and debit cards and redeem them for money. Farmers interested in participating in the program should contact their market manager and/or their state department of agriculture, and inquire about what they need to do to be able to accept and redeem the coupons and debit cards.

### ***2. Food Stamps***

Food stamps are provided to low-income individuals to use at participating retailers. Although not exclusively for use at farmers' markets, they may be used by customers at most farmers' markets. Market vendors interested in participating as retailers in the food stamp program should contact their market manager and/or their state department of agriculture. 🍎

## For more information please contact:

Farmers' Legal Action Group, Inc. (FLAG)  
360 North Robert Street, Suite 500  
St. Paul, MN 55101  
Phone: 651-223-5400 / MN Toll-Free: 877-860-4349  
Email: lawyers@flaginc.org  
Website: www.flaginc.org

*Related FLAG publications available at*  
<http://www.flaginc.org/topics/pubs/index.php>

- ◆ "Terms Used in Minnesota Farm Law"
- ◆ "Resources for Hmong Farmers"
- ◆ "Before You Sign on the Dotted Line...Questions for Farmers to Ask Before Entering Into a Direct Marketing Agreement," by Jill E. Krueger (October 2005)
- ◆ *Farmers' Guide to Disaster Assistance* (Fifth Edition, 2004), available online and in print
- ◆ *Farmers' Guide to Minnesota Lending Law* (Second Edition, 2003), available online and in print

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## Financially distressed farmers in Minnesota should contact the following organizations for legal assistance:

Mid-Minnesota Legal Assistance  
(Minnesota Family Farm Law Project)  
830 W. Germain, Suite 300  
P.O. Box 886  
St. Cloud, MN 56302  
Phone: 320-253-0121 / Toll-Free: 888-360-2889

Southern Minnesota Regional Legal Services  
(Minnesota Family Farm Law Project)  
12 Civic Center Plaza, Suite 3000  
P.O. Box 3304  
Mankato, MN 56002-3304  
Phone: 507-387-1211 / Toll-Free: 800-247-2299

Legal Services of Northwest Minnesota, Inc.  
1015 Seventh Avenue North  
P.O. Box 838  
Moorhead, MN 56560  
Phone: 218-233-8585 / Toll-Free: 800-450-8585

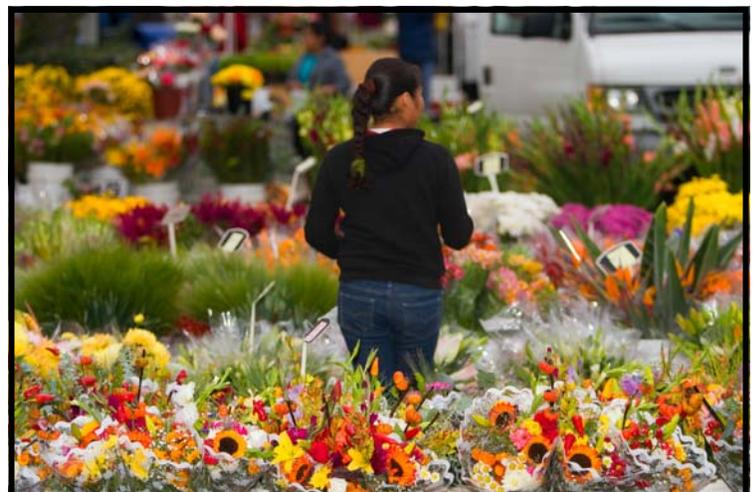
## For additional information:

### *Farmers' market operation, rules, and contracts*

- ◆ USDA's Agricultural Marketing Service (AMS) at [www.ams.usda.gov/farmersmarkets/](http://www.ams.usda.gov/farmersmarkets/).
- ◆ *Operational Guidelines for Vendors at the Farmers' Market and Starting a Food Business in Minnesota*, by Minnesota Department of Agriculture, available by calling 651-201-6000 / toll-free 800-967-2627 and requesting a copy, or visit [www.mda.state.mn.us](http://www.mda.state.mn.us).
- ◆ *The New Farmers' Market, Farm-Fresh Ideas for Producers, Managers & Communities*, by Corum, Rosenzweig, and Gibson (2001), published by New World Publishing.
- ◆ *Farmers' Markets: Rules, Regulations and Opportunities* by Neil D. Hamilton (2002), published by the National Agricultural Law Center and available at [www.nationalaglawcenter.org/assets/articles/hamilton\\_farmersmarkets.pdf](http://www.nationalaglawcenter.org/assets/articles/hamilton_farmersmarkets.pdf).
- ◆ *Farmers' Markets* by Janet Bachman (October 2002), published by ATTRA, Appropriate Technology Transfer for Rural Areas, available at <http://attra.ncat.org/attra-pub/PDF/farmmarket.pdf> or by calling 800-346-9140 (English); 800-411-3222 (Spanish).

### *Direct marketing*

- ◆ *The Farmer's Legal Guide to Producer Marketing Associations* by O'Brien, Hamilton, and Luedeman (2005), published by Drake University Agricultural Law Center.



## Pacific Grove Farmers' Market: Annual Budget

<b>AGENCY ANNUAL INCOME</b>	<b>Estimated One Fiscal Year</b>
Agency Membership Dues (If applicable)	\$625
% of Agency Members that Contribute = 100%	
Vendor Fees (an average of 34 paid vendors for 9 months and 10 vendors for 3 months)	\$30,600
Fundraising Activities (Farmers' Market merchandise)	\$500
<b>TOTAL ANNUAL INCOME</b>	<b>\$31,725</b>
<b>* In-kind Income Significant to Your Agency:</b>	<b>*Other Income:</b>
	1) In-Kind Advertising (Calendar listings, media coverage and newsletter articles)
	<b>Estimated One Fiscal Year</b>
<b>AGENCY EXPENSES</b>	
Executive Director: Iris Diana Peppard for 6 hours a week at a rate of \$20 an hour	\$5,760
Market Manager: To be determined for 10 hours a week at a rate of \$15 an hour	\$7,200
Outreach Coordinator: to be determined for 8 hours a week at a rate of \$10 an hour	\$3,840
Benefits	\$0
Transportation	\$250
Advertising for the Farmers' Market	\$8,700
Market and Office Operations	\$850
Rental/Occupancy Costs	in-kind
Dues, Subscription, and Contributions	\$150
Equipment Rental for the market (Storage and Port-a-Potties)	\$2,700
City, County, and State Fees and Permits	\$1,200
Insurance for the Farmers' Market	\$1,000
<b>TOTAL ANNUAL EXPENSES</b>	<b>\$31,650</b>
<b>NET ANNUAL INCOME/(LOSS)</b>	<b>\$75</b>

1) 7 CSUMB Service Learners each for 30hrs in a 32 week period at \$8/hr = \$1680



RURAL MOUNTAIN PRODUCERS EXCHANGE, INC.  
FAYETTEVILLE FARMERS' MARKET www.fayettevillefarmersmarket.org  
P.O. Box 3076  
Fayetteville, AR 72702  
479.236.2910

Dear Potential Farmers' Market Vendor,

Enclosed is an application form for membership in the Rural Mountain Producers Exchange, more commonly known as the Fayetteville Farmers' Market. We are pleased that you are considering membership in the market, and hope that you will let us help you in any way that we can during this process. **The Fayetteville Downtown Square Markets are closed to new members for all of the year 2011**, but new members of RMPE are eligible to attend the Botanical Garden of the Ozarks Market, 4703 N. Crossover Rd., Sundays 9am-2pm, May- October, and the Mill District Market, 557 S. School at MLK Blvd, Thursdays 4pm-7pm, May-October.

Please complete the enclosed application form and return it to RMPE at P.O. Box 3076, Fayetteville, AR 72702. If you have questions, please feel free to contact Peggy Maringer, market manager, at 479.236.2910. If she can't answer your questions, she will put you in touch with someone who can.

Completed applications are reviewed at the next regularly scheduled meeting of the Board of Directors following submission. These meetings take place on the third Tuesday of each month. After the Board's review of your application, you will be notified of your status in writing within seven days. If you are accepted for membership, a complete set of regulations, as well as other important information, will be available to you.

RMPE is a nonprofit corporation, which owns and operates the Fayetteville Farmers' Market. The RMPE was created more than 30 years ago to support local, sustainable agriculture, including small farmers, gardeners, plant growers, fine artists and craft persons by providing a marketplace for their locally produced products.

To be eligible for membership, **the vendor must reside in Washington, Carroll, Madison, or Benton counties. Products must be produced and sold by the vendor.** Products that can be sold include, but are not limited to, vegetables, fruits, plants, fibers, cider, molasses, honey, eggs, meats and cheese. **All craft and fine art applicants must submit a craft application with a \$25 jury fee .**

Market spaces are determined by a point system based on years of membership, number of markets attended the previous year, and commissions paid over the previous year. Members pay a \$5 annual membership fee plus the commission. New members will be assigned spaces by the manager, on a space-available basis at the Farmington and Botanical Garden of the Ozarks markets only.

**MEMBERSHIP APPLICATION**

RURAL MOUNTAIN PRODUCERS EXCHANGE, INC.  
P.O. Box 3076, Fayetteville, AR 72702, 479.236.2910 [fayettevillefm@gmail.com](mailto:fayettevillefm@gmail.com)

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Name (Please Print) Phone E-mail

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Street City Zip County

Farm Location: Please give directions to your farm.

Please list major items that you grow or make and wish to sell at the Market, i.e. vegetables, fruits, eggs, cut flowers, plants, crafts, processed foods from produce grown on your farm. Be specific about types and kinds.

Please circle the acreage you will plant for the market:

Garden surplus only      1/2 to 1 acre      more than 1 acre      more than 5 acres

Circle which days you can attend:    Thursdays, Mill Dist.    Sundays, Botanical Garden

How did you hear about us? \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Please do not send dues at this time

Board action \_\_\_\_\_ Date \_\_\_\_\_

Site Visit \_\_\_\_\_ Date \_\_\_\_\_

Committee action \_\_\_\_\_ Date \_\_\_\_\_

Member No. \_\_\_\_\_ Date \_\_\_\_\_

# APPENDIX Q

## SPENARD FARMERS MARKET

# FOOD ASSISTANCE VENDOR HANDBOOK 2011



BROUGHT TO YOU BY:  
**LEADERSHIP ANCHORAGE YEAR 14**

Jeanne Larsen, Alissa Nagel,  
Leslie Need, Jana Turvey & Rob Walker  
Group Sponsor: Kim Wetzell

Last Edited 4/20/2011

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## PREFACE

This handbook was originally created for the Spenard Farmers Market (SFM) in Anchorage by Leadership Anchorage volunteers to simplify and define the food assistance programs that are supported and operated by the State of Alaska.

Organizers of the Spenard Farmers Market knew it was important to expand the emerging farmers markets and make available to residents throughout the Anchorage area, as much Alaska grown foods as possible. The next step in the growth of the Spenard Farmers Market was to offer these locally grown foods to Alaskans utilizing food assistance benefits.

Since the Spenard Farmers Market is the most affordable market for start-up farmers and the most easily accessible by public transportation, it was decided that volunteer time would be dedicated to making it Anchorage's 'food assistance friendly' market.

Thank you for your interest in accepting one or more forms of food assistance. You are participating in a nation-wide movement by making healthy food available for all.

**If you have questions or comments, contact the Spenard Farmers Market at:**

P.O. Box 90086  
Anchorage, AK 99509  
907-563-6273 voice  
562-5988 fax

Email: [spenardfarmersmarket@gmail.com](mailto:spenardfarmersmarket@gmail.com)  
<http://www.spenardfarmersmarket.org/>



Connect on Facebook: Spenard Farmers Market



# I. INTRODUCTION

This manual provides comprehensive descriptions and how Alaska’s food assistance programs are operated.

In Alaska, there are four types of State operated food assistance programs:

1. **Supplemental Nutrition Assistance Program (SNAP).** This program is also referred to as the “Quest” card in Alaska and formerly the Food Stamp Program. This is referenced as SNAP or Quest throughout this manual.
2. **Women, Infants & Children (WIC) Farmers’ Market Nutrition Program (FMNP).** This is referenced as WIC FMNP throughout this manual.
3. **WIC Fruit & Vegetable Voucher (FVV) Program.** This is referenced as WIC FVV throughout this manual.
4. **Senior Farmers Market Nutrition Program (SFMNP).** This is referenced as SFMNP throughout this manual.

In 2011, the Spenard Famers Market and Homer Farmers Market were chosen to implement a pilot project to make the SNAP program, using a wireless debit card machine and token system, available to residents in Anchorage and surrounding communities. As a Spenard Farmers Market vendor, you are participating in a market that recognizes, accepts and encourages acceptance of these four common types of food assistance.

Thank you for participating in this pilot program. Your feedback, comments, and questions about this pilot will contribute to its success and our ability to help farmers in the region expand the system.

We welcome you to our market!

**THANK YOU!**

## **II. WHAT IS SNAP?**

### **A. ADMINISTRATION OF PROGRAM**

In Alaska, SNAP is redeemed through the use of a debit card known as a “Quest card”. In order for farmers to accept SNAP, a wireless debit card machine is required. The Alaska Department of Health & Social Services is providing a wireless point of sale (POS) terminal and the funding to hire an intern to facilitate its use.

Quest card holders simply swipe their card at the Info Booth in exchange for wooden tokens whereby farmers accept the wooden tokens for a range of local, edible, healthy foods. Vendors redeem their tokens with SFM for payment. Individual farmers are not required to become licensed or seek any form of certification to accept the tokens.

### **B. HOW TO GET STARTED**

In order to be an eligible vendor at the Spenard Farmers Market, you need to complete the following steps:

1. Complete a Vendor Application for the Spenard Farmers Market. Download it from [www.spenardfarmersmarket.org](http://www.spenardfarmersmarket.org) and fax or email your application for processing. Dates of market operation are May 21-October 1, 2011 (20 Saturdays during the 2011 season).
2. Complete a Food Stamp/Quest Application available on the Spenard Farmers Market website for download. You can also complete it at the Quest card Information Booth.

### **C. HOW IT WORKS**

The daily procedures of accepting SNAP are as follows:

1. A customer goes to the Quest Card Information Booth and tells Market staff how much they want to spend. They will receive wooden tokens for the amount requested.
2. Treat the tokens like cash but DO NOT give change.
3. At the end of the day, go to the Info Booth with your tokens for redemption instructions.
4. Don't forget to explain to all of your employees how wooden tokens work.
5. When pricing your food/produce, it may be useful to keep in mind that tokens will come in increments of \$1, \$5, and \$10.

## D. WHAT DOES A SNAP/QUEST CARD LOOK LIKE?



## E. WHY IS ACCEPTING SNAP BENEFICIAL TO YOUR BUSINESS?

It's win-win! Traditionally, customers with SNAP Quest cards could only redeem their stamps at grocery stores. Spenard Farmers Market invested in an electronic card reader that allows the customers to spend tokens at our market. This is a brand new customer base! If they are happy, they could return numerous times, so it's great for farmers and great for Alaska's economy.

## III. PARTICIPATING WITH OTHER FOOD ASSISTANCE PROGRAMS

In order to participate in the Alaska WIC Program, farmer vendors must be authorized by the State. The approved fruits, vegetables and fresh cut herbs sold by the farmer must be Alaska grown. **To participate**, an interested farmer must complete an application to the Division of Public Assistance - WIC program (see below). Participation in one of the teleconferences (May 27, 10am or May 31, 2pm) is highly encouraged. Applications for 2011 are **due June 1**, the same date that vouchers/coupons may be accepted. Upon authorization, the farmer will be sent a start-up packet and manual. Agreements are only good for one year and farmers must complete the application process each year they choose to participate.

For more information about the application process for the other food assistance programs described below, contact:

State of Alaska Department of Health and Social Services, Division of Public Assistance  
Family Nutrition Programs  
130 Seward Street, Room 508  
Juneau, AK 99801  
(907) 465-3100  
wic@alaska.gov  
<http://www.hss.state.ak.us/dpa/programs/nutri/>

Note: Spenard Farmers Market only registers our vendors with the SNAP Program, but we would like to know whether you are participating in other food assistance programs!

## IV. WHAT IS WIC FMNP?

**WIC Farmers Market Nutrition Program (FMNP):** The major purpose of the WIC FMNP is to provide a combination of nutrition education, nutritious foods and healthcare oversight to participants. The WIC FMNP offers farmers the opportunity to help those in their community who are nutritionally at risk, while increasing direct marketing opportunities for local farmers and increase their incomes.



### A. WHAT DOES A WIC FMNP COUPON LOOK LIKE?



### B. COUPON VALUES

WIC FMNP coupons come in increments of \$5 only.

### C. ELIGIBLE AND NON-ELIGIBLE FOODS

Food goods that may be purchased with the WIC FMNP include: fresh, nutritious, unprepared Alaska grown fruits, vegetables and herbs. White potatoes and edible blossoms and fresh cut herbs are included.

Food goods that are NOT eligible for purchase include: baked goods, meats, flowers, dried fruits & vegetables, ornamental corn, gourds, seafood, eggs, dairy products, nuts, and processed foods (such as jams, jellies, honey, maple syrup, candies, juices or cider).

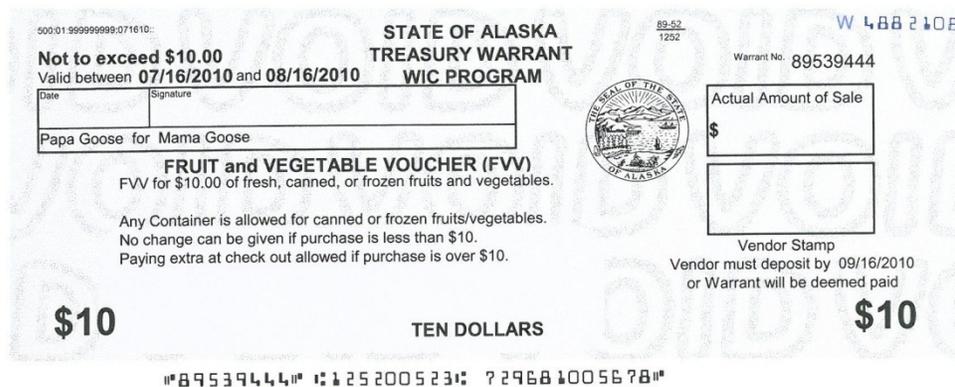
## V. WHAT IS WIC FVV?

**WIC Fruits & Vegetables Voucher (FVV) Program:** A Federal program that provides supplemental food, health care referrals, and nutrition education at no cost to low-income



pregnant and postpartum women, and to infants and children up to 5 years old who are at nutritional risk. WIC participants are issued Fruit and Vegetable Vouchers to purchase fresh, frozen and canned fruits and vegetables.

### A. WHAT DOES A WIC FVV COUPON LOOK LIKE?



### B. COUPON VALUES

WIC FVV coupons come in increments of \$6, \$10 and \$15.

### C. ELIGIBLE AND NON-ELIGIBLE FOODS

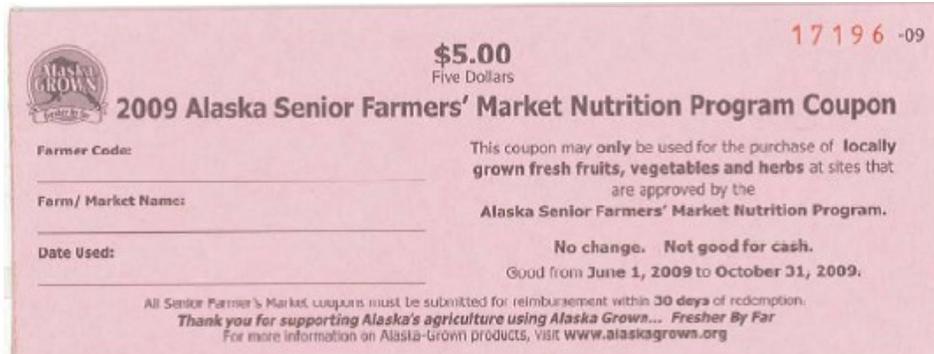
Food goods that may be purchased with the WIC FVV include: whole or cut fruit without added sugars; whole or cut vegetables without added sugars, fats or oils. Orange yams and sweet potatoes are allowed.

Food goods NOT eligible for purchase include: baked goods, meats, vegetable grain, fruit & nut mixtures, canned or dried mature legumes, ornamental corn, gourds, seafood, eggs, dairy products, nuts, and processed foods (such as jams, jellies, honey, maple syrup, candies, juices or cider). White potatoes and edible blossoms and fresh cut herbs, herbs or spices, fruit leathers or fruit roll-ups are also NOT allowed.

## VI. WHAT IS SFMNP?

**Senior Farmers Market Nutrition Program (SFMNP):** The major purpose of the WIC FMNP is to provide a combination of nutrition education, nutritious foods and healthcare oversight to eligible seniors (age 60 and over).

### A. WHAT DOES A COUPON LOOK LIKE?



### B. COUPON VALUES

SFMNP coupons only come in increments of \$5.

### C. ELIGIBLE AND NON-ELIGIBLE FOODS

Food goods that may be purchased with the WIC FMNP include: fresh, nutritious, unprepared Alaska grown fruits, vegetables and herbs. White potatoes and edible blossoms and fresh cut herbs are included.

Food goods NOT eligible for purchase include: baked goods, meats, flowers, dried fruits & vegetables, ornamental corn, gourds, seafood, eggs, dairy products, nuts, and processed foods (such as jams, jellies, honey, maple syrup, candies, juices or cider).

## VI. IMPORTANT INFORMATION FOR ALL COUPONS

1. Always note the value of the coupon.
2. Note the valid dates for use.
3. Note vendor reimbursable dates on the coupon.
4. DO NOT GIVE CHANGE.
5. Participant may pay difference between purchase price and value of coupon.
6. How to correct coupon errors:
  - a. Draw a ~~single line~~ through incorrect amount or date to ensure error is still readable.
  - b. Clearly write the correct amount NEXT to it in ink.
  - c. The Farmer Vendor must initial the correction written next to corrected amount on warrant.

# APPENDIX A: GLOSSARY OF TERMS

## ABBREVIATIONS USED IN THIS HANDBOOK

**Coupon:** A coupon, food instrument (FI), warrant, voucher or other negotiable financial instrument by which benefits under WIC FMNP and SFMNP are transferred to recipients.

**Electronic Benefit Transfer System (EBT):** An electronic payments system maintained and managed by State or its contractor that uses electronic funds transfer and POS technology for the delivery and control of food and public assistance benefits.

**Eligible foods (WIC FMNP and SFMNP):** Locally grown, WIC approved fruits, berries, vegetables and herbs for human consumption. Eligible foods may not be processed or prepared beyond their natural state except for usual harvesting and cleaning processes.

**Eligible foods (WIC FVV):** Any combination of WIC approved fresh fruits and vegetables. They do not have to be grown in Alaska. Includes whole or cut varieties and may NOT have any added sugars, fats or oils.

**Farmer:** An individual authorized by the State Agency to sell eligible fruits and vegetables to participants at farmers markets or farm stand.

**Farmers' Market:** An association of local farmers who assemble at a defined location and scheduled time for the purpose of selling their produce directly to consumers.

**Farmstand:** A location at which a single, individual farmer sells his/her produce directly to the consumer. This is in contrast to a group or association of farmers selling their produce at a farmers market.

**Food and Nutrition Service (FNS):** A USDA agency that administers 15 of the Nation's food assistance programs, including SNAP, WIC, and the School Breakfast and Lunch Programs. FNS provides children and low-income people access to food, a healthful diet, and nutrition education.

**FNS SNAP retailer:** Any merchant that has been approved by FNS to accept SNAP as payment for eligible food items. Authorized SNAP retailers include: retail grocery stores, food chains, farmers markets, roadside vendors, delivery services, and cooperatives.

**FVV:** Fruit and Vegetable Voucher

**Locally Grown:** Produce that is grown only within the State of Alaska.

**Quest:** The Food Stamp program in Alaska provides food benefits to low-income households. Also known as **SNAP** (Supplemental Nutrition Assistance Program) in many parts of the country. Benefits (money) are on the **Quest card** and can be used to purchase eligible food at participating farmers markets. For more information about the Alaska Quest Program, see <http://hss.state.ak.us/dpa/programs/fstamps/>

**SFMNP:** Senior Farmers' Market Nutrition Program

**SNAP:** Supplemental Nutrition Assistance Program, formerly Food Stamp program.

**State SNAP agency:** The State entity that administers SNAP at the local level - AK DHSS.

**Senior Citizen Participant:** Eligible low-income seniors age 60 and over.

**WIC:** Special Supplemental Nutrition Assistance Program for Women, Infants, and Children.

**WIC FMNP:** Farmer's Market Nutrition Program administered by WIC.

**WIC FVV:** WIC participants are issued Fruit and Vegetable Vouchers to purchase fresh, frozen and canned fruits and vegetables at grocery stores. For the first time this year (2011), FVVs can be used at farmers markets. A check with a specific dollar value (for ex: \$6, \$10, \$15) which can be used only to obtain authorized fruits and vegetables.

**WIC Participants:** Pregnant women, breastfeeding women, postpartum women, infants and children who are receiving supplemental foods.

**Third Party Processor (TPP):** Any transaction processing provider that manages and maintains commercial POS terminals, routes EBT and commercial credit/debit transactions, and settles transaction amounts to retailer bank accounts for a fee.

**Wired POS terminal:** POS terminals that require electricity and phone line to operate; they are stationary.

## OTHER TERMS APPLICABLE TO FOOD ASSISTANCE

**Alaska Department of Health and Social Service (AKDHSS):** State agency to license merchants to accept public health benefits of FMNP, SFMNP, and WIC. Alaska Department of Health and Social Services

**Agricultural Marketing Service (AMS):** The USDA agency, that among other things, supports farmers markets with grants, research, and education.

**Alaska Temporary Assistance Program (ATAP):** *see* TANF

**Bonus incentive program:** A program that provides matching 'bonus dollars' for purchases made at farmers markets with SNAP or WIC benefits.

**Commercial POS terminal:** A point-of-sale (POS) terminal that can process bank-issued credit and debit cards as well as SNAP cards.

**Compliance buy:** A covert, on-site investigation in which a representative of the WIC Program, FMNP and/or SFMNP poses as a participant, parent or caretakers of an infant or child participant (or proxy), transacts one or more food instruments (FIs) or FVVs and does not reveal during the visit, that he/she is an official representative.

**EBT-only machines:** POS terminals deployed by the State EBT contractor to eligible FNS SNAP retailers for redeeming, free of charge, SNAP and other EBT benefits. These are wired, not wireless, terminals that do not accept bank-issued debit or credit cards. To be eligible, retailers must expect to have an average of at least \$100 in SNAP business per month.

**Employee Fraud and Abuse:** The intentional conducts of a State, local agency or clinic employee which violates WIC, FMNP or SFMNP regulations, policies or procedures. Including but not limited to, misappropriating or altering FIs or FVVs, entering false or misleading information in case records, or creating case records for fictitious participants.

**Farmers Market Promotion Program (FMPP):** An AMS grant program that awards funds for the development or sustainability of farmers markets. By law, at least 10 percent of the funds must be directed towards SNAP EBT projects.

**Fatal error:** Cannot be fixed and the vendor will not be compensated for the submitted voucher. Called "Errors That Prevent Payment" in this Manual.

**Local Agency:** Any nonprofit entity or local government agency that issues FMNP/SFMNP coupons and FVVs, and provides nutrition education and/or information on operational aspects of the FMNP, SFMNP and FVVs to participants.

**Manual voucher:** A paper document signed by the EBT holder to redeem benefits through telephone verification when the EBT system is down. It can also be used by retailers who do not have a POS terminal.

**Participant violation:** Any intentional action of participant, parent, or caretaker of infant or child participant, or proxy that violates Federal or State statutes, regulations, policies or procedures governing the WIC Program, FMNP or SFMNP.

**Personal Identification Number (PIN):** A four-digit numeric code selected or assigned to a household and used to verify the identity of an EBT cardholder when performing an EBT transaction.

**PIN:** Personal Identification Number

**Participant violation:** Any intentional action of participant, parent, or caretaker of infant or child participant, or proxy that violates Federal or State statutes, regulations, policies or procedures governing the WIC Program, FMNP or SFMNP.

**Proxy:** Any person designated by a woman participant or by a parent/caretaker of an infant or child participant to obtain and transact FIs or FVVs or to obtain supplemental foods on behalf of the participant.

**Scrip:** A certificate that can be exchanged for goods at the farmers market that issued it. Scrip can be paper vouchers, tokens, or receipts.

**Scrip project:** A system for redeeming SNAP benefits by having a by 1) having a farmers market sponsor obtain an FNS SNAP license 2) which allows market vendors to accept SNAP benefits using a POS terminal to issue scrip.

**State EBT contractor:** An entity that is selected through a competitive process to perform EBT-related services for the State SNAP agency.

**Temporary Assistance for Needy Families (TANF):** Provides cash assistance and work services to low-income families with children to help them with basic needs while they work toward becoming self-sufficient. Benefits are on the Quest card and can be used to purchase food and non-food items at participating farmers markets.

**USDA:** United States Department of Agriculture

## **APPENDIX B: ALASKA FOOD ASSISTANCE OPERATING AGENCIES**

**Alaska Department of Health and Social Service (AK DHSS):** State agency that licenses farmers/merchants to accept public health benefits of FMNP, SFMNP, and WIC.

**Alaska Temporary Assistance Program (ATAP):** Also known as TANF (Temporary Assistance for Needy Families). TANF provides cash assistance and work services to low-income families with children to help them with basic needs while they work toward becoming self-sufficient. Benefits are on the Quest card and can be used to purchase food and non-food items at participating farmers markets. For more information about the Alaska ATAP/TANF including a link to download an application:

Anchorage Public Assistance District Office  
400 Gambell Street  
Anchorage, AK 99501  
(907) 269-6599  
<http://hss.state.ak.us/dpa/programs/atap/>

## APPENDIX C: WIC FMNP AND WIC FVV CORRECTABLE ISSUES & ERRORS THAT PREVENT PAYMENT

### CORRECTABLE ISSUES

**Correctable issues** allow the vendor to correct and re-submit vouchers for payment.

<b>ERROR</b>	<b>DESCRIPTION</b>	<b>CONSEQUENCE TO VENDOR</b>
Missing Authorized Vendor Stamp	WIC FMNP coupon/WIC FVV is missing vendor stamp	Errors corrected and WICFMNP coupons/WICFVVs re-deposited with Key Bank
Illegible Vendor Stamp/Number	Vendor Stamp/Number cannot be read/is illegible	
Invalid Vendor Stamp/Number	Vendor Stamp/Number is not authorized by the State of Alaska	
MICR Discrepancy	The amount encoded (Magnetic Ink Characters read) by the depositing bank does not agree with the amount in the actual amount of sale box. Depositing bank should re-qualify the encoded amount with the correct amount and re-deposit the item	
WIC FVV Altered Purchase Price	Actual Amount of sale has been altered or changed on the WIC FVV	

## ERRORS THAT PREVENT PAYMENT

Errors preventing payment cannot be fixed and the vendor will not be compensated for the submitted voucher.

ERROR	DESCRIPTION	CONSEQUENCE TO VENDOR
Altered Vendor Stamp	Vendor Stamp/Number has been altered	WIC FMNP coupons/WIC FVVs cannot be re-deposited at Key Bank
WIC FVV Missing Signature	Signature of WIC participant is missing from the WIC FVV	
Other Alterations	Alterations to other elements of the WIC FMNP coupon/WIC FVV	
Stale Date/Expired Date	WIC FMNP coupon/WIC FVV was deposited after the date specified on the WIC FMNP coupon/WIC FVV	
Altered Purchase Price on WIC FMNP Coupon	Actual amount of sale has been altered or changed on the WIC FMNP coupon	
WIC FVV Missing Purchase Price	Actual amount of sale was not recorded in the designated box on the WIC FVV	
Altered Signature on WIC FVV	Signature of WIC participant has been altered or changed on the WIC FVV	
Altered Date	Valid dates have been altered or changed on the WIC FMNP coupon or WIC FVV	
Transaction Date Not Valid	Transaction date is not between valid dates or is missing on the WIC FMNP coupon/WIC FVV	
Future Date	Date deposited by vendor is prior to the valid first date of the WIC FMNP coupon/WIC FVV	
Void	WIC FMNP coupon/WIC FVV should not have been issued to the participant	

## **APPENDIX D: CONTACT INFORMATION FOR OPERATING AGENCIES**

### **SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP)**

1-800-221-5689 Toll Free  
Email: [SNAPHQ-WEB@fns.usda.gov](mailto:SNAPHQ-WEB@fns.usda.gov)  
Website: <http://www.fns.usda.gov/snap/>  
Connect on Facebook: USDA



### **FARMERS' MARKET NUTRITION PROGRAM (WIC FMNP) WIC FRUITS AND VEGETABLE VOUCHERS PROGRAM (WIC FVV) SENIOR FARMERS' MARKET NUTRITION PROGRAM (SFMNP)**

State of Alaska  
Department of Health and Social Services, Division of Public Assistance  
Farmers' Market Nutrition Program  
130 Seward Street, Room 508  
Juneau, AK 99801  
907- 465-3100 voice  
907-465-3416 Fax  
Email: [wic@alaska.gov](mailto:wic@alaska.gov)  
Website: <http://www.hss.state.ak.us/>  
Connect on Facebook: Alaska Department of Health and Social Services

## APPENDIX E: SNAPSHOT COMPARISON

(Farmers - Feel free to laminate this to keep at your produce stand)

WIC Farmers Market Nutrition Program (FMNP)	Senior Farmers Market Nutrition Program (SFMNP)	WIC Fruit and Vegetable Voucher (FVV)
<b>ELIGIBLE AND NON-ELIGIBLE FOODS</b>		
Fresh, nutritious, unprepared <i>Alaskan grown fruits, vegetables and herbs</i>		Whole or cut fruit or vegetables, no added sugars, fats, or oils
Edible blossoms and fresh cut herbs		Edible blossoms, herbs or spices, fruit leathers or fruit roll-ups <b>not allowed</b>
<p style="text-align: center;"><b>Not eligible:</b> baked goods, meats, flowers, dried fruits &amp; vegetables, ornamental corn, gourds, seafood, eggs, dairy products, nuts, processed foods (jams, jellies, honey, maple syrup, candies, juices or cider)</p>		<p style="text-align: center;"><b>Not eligible:</b> white potatoes, baked goods, meats, vegetable-grain or fruit-nut mixtures, dried fruits and vegetables, canned or dried mature legumes, ornamental corn, gourds, seafood, eggs, dairy products, nuts, processed foods (jams, jellies, honey, maple syrup, candies, juices or cider)</p>
<b>COUPON AND VOUCHER FACTS</b>		
<i>Coupon values:</i> \$5 increments - \$25 for the entire season		<i>Coupon values:</i> \$6, \$10, \$15 increments
Coupons accepted from June 1st - October 31 <sup>st</sup>		Vouchers accepted during time period printed on the face of the FVV from June 1st - October 31 <sup>st</sup>

<b>WIC FMNP</b>	<b>SFMNP</b>	<b>WIC FVV</b>
<b>COUPON/VOUCHER ADMINISTRATION REQUIREMENTS</b>		
Farmer not required to check ID		Farmer must check ID
Farmer not required to write in the purchase price on the coupon		Farmer required to write purchase price before individual signs it
Signature not required		Signature required in the presence of the cashier
Farmer must stamp unique farmer number on front of coupon before redeeming it		
No substitutions, cash, credit, refunds or exchanges to participant. <b>DO NOT GIVE CASH BACK</b>		
Participant allowed to pay the difference when purchase exceeds coupon value		
Participant allowed to combine multiple coupons/FVVs in a single transaction		
<b>COUPON/VOUCHER REDEMPTION</b>		
Can only redeem coupons at authorized farmers' markets, farm stands and/or farmers		Can redeem vouchers at WIC authorized vendors, including grocery stores, farmers' markets, farm stands and farmers
Farmer must deposit FMNP coupons at their bank	Farmer must send SFMNP coupons to the appropriate payment agency for processing	Farmer must deposit FVVs at their bank
FMNP coupons must be deposited in farmer's bank by November 30th	SFMNP coupons must be received by the assigned payment agency by November 30th	Vouchers must be deposited within 60 days of the first valid date printed on the FVV
<b>MONITORING OF PROGRAMS</b>		
Authorized farmers are required to display a sign stating they are authorized to accept coupons		WIC authorized vendors required to post signage showing authorization to accept vouchers

## **APPENDIX F: SOURCES**

ALASKA FARMERS' MARKET NUTRITION PROGRAM (FMNP), SENIOR FARMERS' MARKET NUTRITION PROGRAM (SFMNP), AND WIC PROGRAM TRAINING MANUAL, State of Alaska Dept. of Health and Social Services Farmers' Market Nutrition Program (2011).

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) AT FARMERS MARKETS: A HOW-TO HANDBOOK, USDA Agricultural Marketing Service, USDA Food and Nutrition Service, Project for Public Spaces, Inc. (2011).

## Farmers Markets Introduction for Vendors

### *Vendor Marketing Info Tab*

As a vendor, you will want to research available markets in your selling area. Each market will have a different location, operational times, season, demographics and market rules. As a vendor you want to ensure that the market you choose will be a good match for you and your product(s). There may be management styles that you prefer over others. Perhaps some of the market rules will not fit into your style of vending. It could be the product you are growing/selling is not available for the entire market season, making you ineligible to sell at the market due to established market rules. All of these are contributing factors when deciding which market is best for you to participate in.

#### Creating a Vendor Space

Vendor space refers to the individual selling areas of each vendor. It is important to make sure your individual vendor space is as attractive, appealing, and well organized as possible. Products that are both attractive and well organized are more enticing to customers, and contribute to an overall positive experience for customers.

#### Vendor Signage

Visible, attractive, and effective signage is important to advertising your product and attracting customers. Signs indicate what product you are selling and help to create personal identification for your business. It is important to consider color, graphics, the relevance and the amount of information to include when creating your signs. Try to make your sign both easy to identify and memorable, so returning customers can find you and new customers will be more attracted to your booth.

#### Customer Service

Good customer service is essential to building a loyal customer base. Market participation

provides vendors the unique opportunity to interact with their customers, and offer information about their products that may not otherwise be available. It is also a great opportunity to hear from customers what they like or dislike about your product or your vendor space, allowing you the opportunity for continual improvement.

Choose your market workers with care. Someone who has good customer service skills, a sunny disposition, and good conversational skills is usually a better choice for selling at the market than someone who is soft spoken or shy. It is also important to make sure that your product is consistent, so returning customers know what to expect when they come to your booth. It can be difficult to maintain consistency with produce since individual plants and various crops perform differently throughout the growing season. The most important thing to remember is that size, shape, and cleanliness should be standardized as much as possible for your products throughout the market season, thereby providing your customers with accurate expectations of your products.

#### Market Experience

In addition to buying produce and other unique products found at the market, many individuals come for the “market experience.” Farmers markets are unique compared to supermarkets and malls, and individuals who have a good experience at the market are more likely to return. It is important that each vendor provides a good experience for the customers, and that the market manager promotes a positive environment for customers. A positive market experience is an important piece of building customer loyalty.

#### Marketing YOUR Market

In addition to marketing your product(s), it is important to market your overall market. Maintaining a positive attitude about the market

you participate in, and promoting the farmers market as a whole, can increase the customer base for everyone involved in the market. There are often other vendors who sell products that compliment yours, and by providing information to your customers about additional products available at their stands, you will help customers to fulfill more of their shopping needs in your market rather than having to go to a store.

### Pricing

At present, Alaska has no rules regarding the price of products at market. In general, the [price of your product\(s\)](#) should cover your overall costs while still leaving a fair profit for your efforts.

### Observe Other Vendors and Markets

One way to remain competitive in the market place is by observing other vendors in your market, and in other markets. Pay attention to what other vendors do to draw in potential customers, and use those observations to improve your own vendor space or selling style. Observing marketing techniques at retail locations is another way to improve your own marketing skills and tactics. If all of the vendors in your market are constantly improving their selling spaces and styles, your market will improve overall, thereby increasing the customer flow to the market and improve business for all vendors.

### *Weights & Measures Tab*

Alaska laws require that vendors have certified scales when selling anything by weight. Regulations governing casual venues, such as a farmers market, are the same as those that govern grocery stores. Vendors may sell produce using several “Methods of Sale:”

- direct sale by weight, price per pound
- sale by weight in prepackaged form, price per package weight
- sale by count, price per item

- sale by measure, price per ounces, gallons, etc.

The state provides a complete [document](#) (Appendix U) on measurement standards. Additionally, there is a compiled list ([Appendix V](#)) of scale companies that can service your scale, and a few businesses on the list also sell appropriate scales.

### *Food Safety on the Farm Tab*

#### Food Safety/Health Requirements

Customers come to Farmers’ Markets with the expectation of purchasing fresh, quality produce. Unfortunately, improper practices in the production, preparation, transportation, storage, or handling of the produce can contaminate what should be a healthy product. It is up to the vendor to ensure that the product(s) the customer purchases are truly safe to eat. The produce must be kept safe “from farm to fork.”

#### Types of Hazards:

**Biological Hazards** are primarily contaminant bacteria and viruses that cause food borne illnesses. Salmonella, E. coli 0157:H7, and Campylobacter are among the bacteria that can cause serious food borne illness. The virus Hepatitis A can also be transmitted from an ill farm worker through contaminated produce.

**Physical Hazards** are foreign objects such as wood splinters, glass shards, dirt, and metal pieces that can be accidentally mixed into the produce. These objects can cause injury themselves or they may be a means of introducing biological contaminants.

**Chemical Hazards** include agricultural chemicals used in the production of fruits and vegetables such as pesticides and fertilizers. Heavy metals from the soil, contaminated organic fertilizers, and those chemicals used in cleaning and sanitizing are also chemical hazards to be aware of.

[Food safety begins on the farm](#) (Appendix W) and should be carried through to the point of the customer serving the food. Obviously, the

vendor has no control over handling practices after the sale, but the vendor is responsible for the safety of the produce right up to the point of sale.

#### Food Safety in the Field

The production fields need to be clean and free from physical hazards and contaminated soils. Equipment needs to be in proper operating condition to eliminate the possibility of dropping parts or leaking fluids onto the production area.

Animal feces and human contamination are two of the main sources of introducing biological hazards into the food stream. Water used for field irrigation should come from an uncontaminated source and be free of animal fecal waste. Although it can be difficult in most of Alaska because of wildlife, animals should be kept out of the production fields as much as possible. Migratory birds have been suspected of contaminating produce in Alaska, so consider all aspects of contamination when harvesting and using equipment.

Animal waste that is not properly composted should not be applied to the produce field until after completing harvest. Do not apply manure to a harvested area if other crops that have not been harvested are in close proximity because raindrops could splash the manure into the unharvested areas. USDA organic standards prohibit the application of raw manure in the final 60 days prior to harvest. However, properly composted animal manure does not fall under the 60 day limit since the 160°F temperature necessary in hot-composting maintained for the prescribed time length will kill hazardous microorganisms. For additional USDA Organic growing practices in Alaska, contact Barb Hanson, 761-3854 or [Barbara.Hanson@alaska.gov](mailto:Barbara.Hanson@alaska.gov), at the Division of Agriculture.

Individuals with open wounds that are not covered and those experiencing vomiting and/or

diarrhea symptoms should be prohibited from harvesting or involvement in the production process until the conditions have cleared up.

#### Harvest, Handling and Transportation Process

Harvest knives and bins should be clean and in good condition. All workers must wash their hands before handling produce. Produce workers/handlers must also wash their hands under running water with soap after using the toilet, changing a diaper, using chemicals, handling raw meat (or meat juices) or handling manure.

On a daily basis, all equipment coming into contact with produce should be cleaned with detergent and water, and sanitized with a 50-200 PPM bleach solution. To make a 200ppm bleach solution, add 1 Tbsp. of bleach to 1 gallon of water.

Food coming into contact with soil should be scrubbed to remove dirt debris. Water used to wash or rinse the produce should be potable (or drinking) water. Depending on the product, a final rinse with 50-200 PPM chlorine solution is helpful to remove microorganisms. Handling areas for harvested produce should only be used for that purpose, in order to avoid potential contamination from raw meat or animal waste.

Some produce needs to be chilled for storage. When storing these items, bring them down to the proper holding temperature as quickly as possible in order to provide a longer shelf life and hamper contaminating microbes. When transporting produce to market, make sure they are in clean containers and are protected from outside contamination (rain and road spray) while being transported.

#### *Food Safety Permitting Tab*

##### Food Safety at the Public Market

The food safety focus at the market is to keep clean food clean. All market tasks should be considered in light of, “Will this action have the chance to introduce contaminants to my produce?”

Certain activities ([Appendix X](#)) at the Farmers Market, such as selling prepared goods, i.e. salad, baked potatoes, berry juice, or handing out *cut* samples, may require a [permit](#) from [Alaska Department of Environmental Conservation](#) (DEC) [Food Safety and Sanitation](#). DEC has oversight throughout the State of Alaska. If there is any question on whether the proposed activity needs to be permitted and/or falls under DEC oversight, call 269-7501. The sanitation experts would much rather work with you ahead of time and avoid health concerns, than visit your stand because of a complaint. The complete [Alaska Food Code](#) can be found by clicking the hyper link in this text or look on the Resources page for the complete web address.

The Municipality of Anchorage is the only area in Alaska with additional regulation on food safety. If you are selling at a Farmers Market in Anchorage call the Food Safety and Sanitation Program in the Municipality's Department of Health and Human Services at 343-4200 to determine if a permit is required for your proposed activities. The [Anchorage Food Safety and Sanitation Program](#) also welcomes calls on determining which practices fall under regulatory oversight and general food safety questions.

#### *Farmers Market Practices Requiring Regulatory Oversight*

The following is a general overview of the need for permits at the Farmers Market. Call DEC for the most current regulations and the Municipality of Anchorage if you will be operating in Anchorage.

- Selling meat, milk, or dairy products.
- Selling certain prepared foods i.e. salads, juice, baked potatoes etc.
- Selling cut fruits and/or vegetables that have been cut into smaller sizes i.e. half a head of cabbage.
- Selling produce that has been partially processed i.e. shelled peas.

- Selling of eggs may require permitting within the Municipality of Anchorage. Contact the Municipal Food Safety and Sanitation Program for further information.

#### ***Eggs:***

Eggs produced in Alaska are exempt from the grading and labeling requirements only when the producer sells directly to the consumer but, it is still necessary to ensure *all* information on the carton is correct. If reusing cartons make sure to obliterate *all* information from the original producer/seller, ensuring that there is not any incorrect information displayed on the carton. A new resource "[Safe Egg Handling for Small Egg Laying Flocks & Operations](#)" was developed in 2011 and provides valuable insight. We have also included the complete Shell Egg Regulations ([Appendix Y](#)).

#### ***Meat:***

There are two options for selling meat at a farmers market. One option is selling them on the hoof, where a customer purchases them directly from you, either a side or a whole animal (the animal is not present). When purchased in that form the meat cannot be resold by the individual who purchased the animal. The second option is having a USDA inspected animal slaughter. When the slaughter and processing of meat is USDA inspected, the producer has the additional option of selling individual packages of meat, i.e. ground meat, steaks, roasts, etc.

*USDA inspected slaughter* facilities are available at:

- Alaska Meat Company, Mobile Slaughter Facility:  
[http://www.alaskameat.com/Services\\_Available.php](http://www.alaskameat.com/Services_Available.php)
- Delta Meat & Sausage, Delta Junction: 895-4006
- Mid State Meats, North Pole: 488-1024
- Mt. McKinley Meat & Sausage, Palmer: 745-5232

While there are many quality meat-processing facilities in the state, currently there are only three USDA certified slaughter facilities, where your meat can be slaughtered, processed, and legally resold. When processing your meat, these facilities will provide packaging that meets labeling requirements.

***Milk:***

Alaska law prohibits the sale of raw milk at a farmers market. This [document](#) (Appendix Z), produced by [DEC](#) discusses *raw milk* regulations.

*Permitting Process Camaraderie*

While some market vendors will target their production and market practices so they can specifically avoid the need for permits, the permitting process is not difficult. Most Farmers Market vendor practices that require permitting, such as handing out samples of sliced tomatoes or selling half a head of cabbage, fall into a relatively low food safety risk category and need only to follow proper sanitation and food safety guidelines. Be aware that vendors who must have a [Food Permit](#) (Appendix AA) are also required under both State and Municipal regulations to ensure that staff have obtained the appropriate [Food Worker Cards](#).

*Farmers Market Practices Not Requiring Regulatory Oversight*

Providing samples of cut fruits and/or vegetables would not require a permit but vendors should use best practices. These practices would include:

- Assuring that produce that is provided for sampling has been thoroughly washed.
- Using a clean and sanitized knife for cutting.
- Having a temporary hand washing station set-up and available for washing hands.
- Preventing bare hand contact with the food by the use of utensils, tissue paper, or gloves.

Whole produce in this sense means that the harvestable vegetable has been cut free of the non-edible portions of the plant (i.e. the lettuce roots have been cut off but the leaves themselves are not cut, or the rhubarb leaves have been removed but the stalk is still intact).

If you give away whole fruits and/or vegetables as samples you do not need to be permitted (giving away a whole carrot as a sample does not need a permit but cutting a carrot in two and giving half to each kid is a practice that may need a permit).

The proper food handling techniques for vendors needing a permit, such as cooking demonstrations or selling prepared foods, goes beyond the intended scope of this document. Several Cooperative Extension Publications from various states along with links to Alaska DEC Food Safety and Sanitation resources have been included in the resource section. Furthermore, numerous additional publications can be found using the terms “Farmers’ Market Food Safety” in your preferred Internet search engine.

Be sure to review the Resources page for more information.

# Vendor Resources

## *Marketing Information*

- New Mexico Farmers Markets: [Vendor Tips for Increased Sales](http://farmersmarketsnm.org/Farmers_and_Vendors/Marketing_Tools/Vendor_Tips_for_Increasing_Sales/)  
[http://farmersmarketsnm.org/Farmers\\_and\\_Vendors/Marketing\\_Tools/Vendor\\_Tips\\_for\\_Increasing\\_Sales/](http://farmersmarketsnm.org/Farmers_and_Vendors/Marketing_Tools/Vendor_Tips_for_Increasing_Sales/)
- Agricultural Institute of Marin: [Calculating Costs and Determining Pricing](http://www.agriculturalinstitute.org/files/cms/Pricing%20Product_AIM.pdf)  
[http://www.agriculturalinstitute.org/files/cms/Pricing%20Product\\_AIM.pdf](http://www.agriculturalinstitute.org/files/cms/Pricing%20Product_AIM.pdf)

## *Weights & Measures*

- **Appendix U:** [Alaska Weights and Measures:](http://dot.alaska.gov/mscve/webres/WMFarmersMarkets.pdf)  
<http://dot.alaska.gov/mscve/webres/WMFarmersMarkets.pdf>
- **Appendix V:** [List of Scale Companies:](http://dnr.alaska.gov/ag/FMM/023APPVScaleCompanies.pdf)  
<http://dnr.alaska.gov/ag/FMM/023APPVScaleCompanies.pdf>

## *Food Safety on the Farm*

- **Appendix W:** [Food Safety Begins on the Farm: A Growers Guide:](http://www.gaps.cornell.edu/Educationalmaterials/Samples/FSBFEngLOW.pdf)  
<http://www.gaps.cornell.edu/Educationalmaterials/Samples/FSBFEngLOW.pdf>

## *Food Safety Permitting*

- **Appendix X:** – Department of Environmental Conservation (DEC) Slideshow on Regulations, [Activities Requiring a Food Safety Permit:](http://www.dec.state.ak.us/eh/fss/establishments/meetingmaterials.pdf)  
<http://www.dec.state.ak.us/eh/fss/establishments/meetingmaterials.pdf>
- **Appendix Y:** [Shell Egg Requirements:](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://www.jnu01.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query=[JUMP:%27Title11Chap32!2C+a!2E+2%27]/doc/{@1}?firsthit)  
[http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://www.jnu01.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query=\[JUMP:%27Title11Chap32!2C+a!2E+2%27\]/doc/{@1}?firsthit](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://www.jnu01.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query=[JUMP:%27Title11Chap32!2C+a!2E+2%27]/doc/{@1}?firsthit)
- Safe Egg Handling for Small Egg Laying Flocks and Operations:  
<http://dnr.alaska.gov/ag/Inspection/LPM00344.pdf>
- **Appendix Z:** [Raw Milk Fact Sheet:](http://www.dec.state.ak.us/eh/docs/vet/Fact%20Sheet%20Legal%20bounds%20of%20Cow,%20Goat%20or%20Sheep%20Shares%20in%20Alaska.PDF)  
<http://www.dec.state.ak.us/eh/docs/vet/Fact%20Sheet%20Legal%20bounds%20of%20Cow,%20Goat%20or%20Sheep%20Shares%20in%20Alaska.PDF>
- DEC Raw Milk Page: <http://www.dec.state.ak.us/eh/vet/milk.htm>
- DEC Alaska Food Code: <http://www.dec.state.ak.us/regulations/pdfs/18%20AAC%2031.pdf>
- DEC Food and Safety Sanitation Program: [Food and Safety Sanitation Program](http://dec.alaska.gov/eh/fss/establishments/safe_small_local.htm)  
[http://dec.alaska.gov/eh/fss/establishments/safe\\_small\\_local.htm](http://dec.alaska.gov/eh/fss/establishments/safe_small_local.htm)
- Municipality of Anchorage, Food Safety Sanitation Program:  
<http://www.muni.org/departments/health/environment/fss/Pages/default.aspx>
- **Appendix AA:** [Municipality of Anchorage, Health Permit:](http://www.muni.org/Departments/health/environment/FSS/Food%20Safety%20and%20Sanitation%20Forms/Application%20for%20Health%20Food%20Permit.pdf)  
<http://www.muni.org/Departments/health/environment/FSS/Food%20Safety%20and%20Sanitation%20Forms/Application%20for%20Health%20Food%20Permit.pdf>
- State Temporary Food Service Application:  
[http://dec.alaska.gov/eh/fss/application\\_tfs\\_fundraiser.pdf](http://dec.alaska.gov/eh/fss/application_tfs_fundraiser.pdf)
- State Checklist for Setting up a Temporary Food Service:  
<http://dec.alaska.gov/eh/fss/establishments/Temporary%20Food%20Service-checklist%20for%20setting%20up%202010.pdf>
- State Temporary Food Service Fees: [http://dec.alaska.gov/eh/fss/images/TFS\\_Fees-fullsheet.pdf](http://dec.alaska.gov/eh/fss/images/TFS_Fees-fullsheet.pdf)  
Municipality of Anchorage, Food Worker Cards:  
<http://www.muni.org/Departments/health/environment/FSS/Pages/fssfood.aspx#fssforms>



## Measurement Standards

### Ensuring Alaskans Receive the Full Measure At Farmers' Markets and Roadside Stands

Alaskans have one more reason to enjoy the colorful, fresh, flavorful bounty of seasonal fruits and vegetables sold from roadside stands, pickup trucks, and farmers' markets. The regulations ensuring buyers receive sufficient and accurate information are as much in force from these casual venues as a large grocery store. Vendors also benefit from the public confidence, which results from their compliance with the regulations. And all Alaskans benefit by buying Alaskan Grown.



### Methods of Sale

Produce may be sold by several Methods of Sale: weight, count or measure. For example:

Method of Sale	Examples		
Direct sale by weight	Rhubarb	0.50	Per pound
By weight in prepackaged form	2 pounds of Broccoli	\$2	Per package
By count	Garlic	\$1	For six each
By measure	Strawberries	\$2	Per dry quart

### Direct Sale by Weight

Direct sales by weight are determined at the time of the sale. For example, a customer selects a cabbage, the vendor weighs it in the customer's presence, and the sale immediately follows.

### Scale Requirements

In Alaska, all commercial weighing devices must be evaluated under the National Type Evaluation Program (NTEP) and be issued a Certificate of Conformance by the National Conference on Weights and Measures (NCWM) attesting the design, features, operating characteristics, and performance have been examined and have met national standards for commercial use.

In addition, scales used in direct sales must be registered and certified both initially and annually by the Alaska Division of Measurement Standards and Commercial Vehicle Enforcement (MS&CVE). It is illegal to use an uncertified scale.



## **Purchasing Commercial Scales**

The Division of MS&CVE suggests that prior to purchasing a scale, whether new or used, vendors obtain the make and model number and call the Alaska Division of MS&CVE at 907-345-7846, to be certain it can be certified.

## **By Weight in Prepackage Form**

When a product is weighed, packaged, and a quantity statement applied prior to the sale, it is considered a prepackaged product. Scales used for prepackaged products do not have to meet the requirements of the Alaska Division of MS&CVE. However, the package must contain at least the weight specified on the package.

Weights and Measures inspectors will periodically inspect and randomly weigh the contents of the packages, using a calibrated, certified scale. The net weights of the samples must average the stated net weight or more. For example, on a selection of two-pound packages, the lot would be approved if the average weight of the selections were two pounds or more. The lot would be rejected if the average of the weights were less than two pounds.

Fruits and vegetables lose water weight after being harvested. The weight of a bag of carrots packaged Wednesday will not be the same by Saturday's market. In this case, compensating product weight should be added to ensure the net weight is accurate when it is sold.

In addition, there are legal requirements for the label. All prepackaged products must have a label that gives:

- 1) the name of the product,
- 2) a quantity statement (weight, measure, or count), and
- 3) The net weight (the weight of the product excluding the weight of the wrapping material or container). This may be expressed as net weight, or abbreviated to net-wt. However, "approximate net weight," "more than net-wt," or "at least net-weight" are not acceptable. An example of the proper wording is: Net-wt 2 pounds.

If packaged at a location different from the site of the sale, labels must include the name and address of the packing facility. Vendors should also be aware of FDA labeling requirements, as well.

## **Selling by Measure**

Dry weight, such as a dry pint or dry quart, is measured by cubic inches, not the shape of the container. The container should be full. But the product should not be compressed, and it does not have to be rounded above the sides of the container, unless necessary to achieve the legal measure. Just as water weight can be lost after harvest, volume can decrease as well. Some settling also can occur in transit. The contents must be level with the top of the container at the time of sale. It is recommended growers overfill containers slightly to allow for settling.

Liquids, such as honey and birch syrup, are sold by liquid measure, which is slightly smaller since there is no possibility of air spaces in a liquid. For example, a dry quart is 67.2 cubic inches; a fluid quart is 57.75 cubic inches.



Dry Measure	Cubic Inches	Liquid Measure	Cubic Inches
One bushel	2150.42	One gallon	231
1/2 bushel	1075.21	One quart	57.75
1/4 bushel	537.60	One pint	28.875
One dry quart	67.20	One cup	14.435
One dry pint	33.60		

### Fees

To have a scale certified by the Alaska Division of Measurement Standards and Commercial Vehicle Enforcement requires a registration fee, based on the capacity of the scale. The same amount is due yearly to register the scale. Fees are due in July and are not prorated.

Device Registration Fees (Per AAC 90.920)	
Up to 50 pounds	\$12
51-1000 pounds	\$19

For additional information, contact the Alaska Division of Measurement Standards and Commercial Vehicle Enforcement, 12050 Industry Way, Building O, Anchorage, Alaska 99515, or phone: 907-345-7846.

# Scale Companies

Alaska Scale Co (Wasilla) – Service Company

Joe Roe

745-6481

242-2027, cell

NorthStar Scale Co (Wasilla) – Service Company

John Madish

242-2049, cell

Peninsula Scale Co (Soldotna) – Service Company

Tom VanVleet

398-4874, cell

Phillips Scale Co (Anchorage) – Sales & Service Company

Tim Kaufman

522-1605

Polar Scale Co (Anchorage) – Service Company

Gary Chance

441-8179, cell

Wakefield Inc (Eagle River) – Service Company

Jeff Wakefield

696-4757

440-7406, cell

Cheyenne Scale Co. (Seattle)

Cheyenne Humphreys

206-933-7904

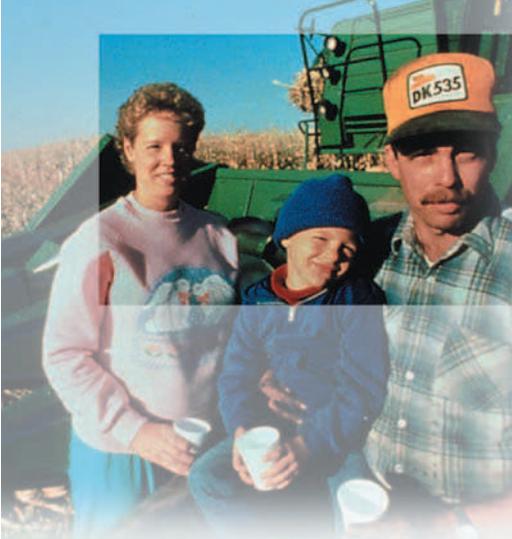
Mettler Toledo NW (Seattle)

Pat McLennan

(206)396-5849 cell

(614)781-2445 fax

[pat.mclennan@mt.com](mailto:pat.mclennan@mt.com)



# Food Safety Begins on the Farm

## *A Grower's Guide*

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**Good Agricultural Practices for  
Fresh Fruits and Vegetables**

**Written and compiled by:**

Anusuya Rangarajan, Elizabeth A. Bihn, Robert B. Gravani,  
Donna L. Scott, and Marvin P. Pritts

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## Introduction

### *Fruit and Vegetable Consumption*

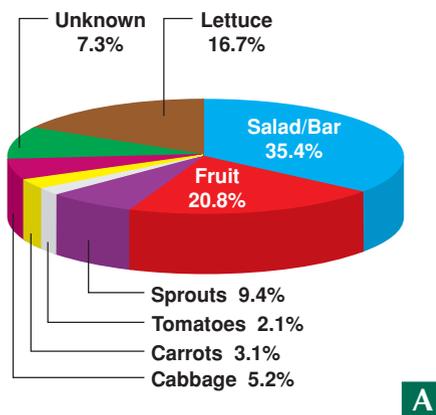
Fruits and vegetables are an important component of the U.S. diet. Nutritionists and health professionals have clearly shown that diets low in fat, high in fiber, with at least five servings a day of fruits and vegetables are protective against many types of cancer and lessen the risk of heart disease.

Federal initiatives, including the U.S. Dietary Guidelines, the Food Guide Pyramid, Healthy People 2002, and the National Cancer Institute's Five a Day Program, have highlighted the nutritional importance of eating fruits and vegetables. "Strive for Five" programs initiated by agricultural companies and food trade associations also have stressed the need to increase fruit and vegetable consumption. Consumers listening to these messages have altered their food choices. Between 1970 and 1997, the U.S. total per capita annual consumption of fruits and vegetables increased 24%, from 577 to 718 pounds.

Growers have responded positively by growing and harvesting a wide variety of traditional and "new" fruits and vegetables. Global production and distribution, coupled with innovative packaging, and improved marketing and merchandising strategies, have provided consumers with an abundance of fruits and vegetables. The increase in global trade makes food from over 130 countries around the world available to U.S. consumers and provides year-round availability of fresh produce.

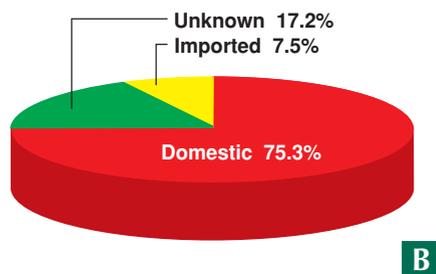


### U.S. Fresh Produce Outbreaks: 1990-1998\*



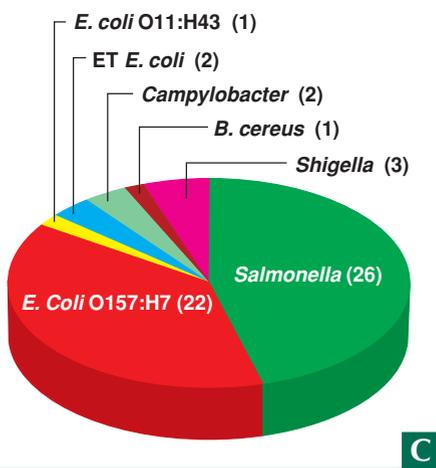
A

### Fruit and Vegetable Outbreaks by Origin of Produce: 1990-1998\*



B

### Fruit and Vegetable Bacterial Outbreaks: 1988-1998\*



C

\*Source: CDC foodborne outbreak surveillance system.

## Foodborne Illnesses

As produce consumption has increased, scientists at the Centers for Disease Control and Prevention (CDC) in Atlanta, Georgia, noticed another important trend. From 1973 through 1998, there was a significant increase in the number of foodborne disease outbreaks associated with fresh produce.

A summary of the foodborne outbreaks from 1987 to the present shows:

- The number of outbreaks associated with fresh produce steadily increased.
- The number of people affected more than doubled.
- A variety of fruits and vegetables were involved (see A).
- Three-quarters (75.3%) of the outbreaks were related to domestically grown produce (see B).
- Most of the outbreaks were caused by bacteria, especially *Salmonella* species and *E. coli* O157:H7 (see C).

Produce-associated outbreaks can be caused by bacteria, viruses, or parasites. Bacteria like *Salmonella*, *E. coli* O157:H7, *Shigella*, and *Bacillus cereus* are of significant concern. Parasites like *Cryptosporidium* and *Cyclospora*, and viruses such as hepatitis A and Norwalk, also have been the causative agents in several produce-associated outbreaks. Lettuce, salad mix, green onions, tomatoes, sprouts, cantaloupe, carrots, raspberries, frozen strawberries, basil and basil-containing products, unpasteurized apple cider, and unpasteurized orange juice have been associated with these disease-causing microorganisms and have caused illnesses and deaths in children and adults throughout the U.S.

There are only a few documented cases of foodborne illnesses traced back to poor agricultural practices, but one particular foodborne outbreak worth noting was related to *E. coli* O157:H7 contamination of mesclun lettuce mix. The lettuce was grown on a farm located near a cattle operation and free range chicken farm. The lettuce became contaminated and caused 49



people in Illinois and Connecticut to become ill. The ages of the victims ranged from 2 to 87 years. This outbreak was traced back to poor agricultural practices and improper handling of the lettuce after harvest. It could have been prevented with the use of good agricultural and management practices.

### Consumer Concerns

Media attention related to fresh fruits and vegetables has heightened consumer awareness of produce-associated illnesses. The concern about the rise in the number of foodborne illnesses also is reflected in numerous surveys. In the 1998 Fresh Trends Survey, conducted by *The Packer* magazine, bacterial contamination of produce was a concern of consumers for the first time since the survey originated in 1983. About 9% of the 1,000 U.S. consumers surveyed by telephone expressed concern about bacteria in their food, while another 10% were concerned that bacteria in produce might make them sick or cause a disease. Survey results indicated that about 60% of consumers are more concerned today than they were a year ago about *Salmonella* and other bacteria on fresh produce. Produce-associated foodborne illnesses reduce consumer confidence in the safety of all produce items, undermine fruit and vegetable promotion campaigns, and can cause financial losses from which a business may never recover.

In response to consumer concerns, many retailers have recently announced programs requiring growers to have independent third-party inspections of farms to certify that fruits and vegetables are being grown, harvested, and packaged using good agricultural and management practices. These programs are developing rapidly and many growing and packing operations are already being inspected by companies, organizations, and agencies approved by retailers.

Effective farm strategies focus on prevention of contamination. Research clearly demonstrates that it is very difficult to completely sanitize produce once contamination has occurred. The key to reducing risks is preventing contamination before it happens.





### ***Increase in Illnesses***

One may wonder why there is an increase in foodborne illnesses associated with fresh produce. Many factors are involved, including:

### ***Changing social demographics***

There are increasing segments of the U.S. population that are elderly, immuno-compromised, and suffering from chronic diseases. People who are receiving chemotherapy treatments, have had organ transplants, or suffer from late-stage HIV infections or AIDS are more vulnerable to foodborne illness than are healthy people. All of these individuals, as well as pregnant women and young children, are at the highest risk for serious foodborne illnesses.

### ***Changing food systems***

Fresh fruits and vegetables are grown and marketed on a national and international scale. This complex food system permits distribution of a greater diversity of crops to large numbers of people. However, this system also potentially increases the exposure of more consumers to different types of microorganisms on produce. When outbreaks occur, it is increasingly difficult to trace the source of the problem.

### ***Changing consumer preferences***

The growing popularity of salad bars and the increase in the number of meals eaten outside the home can increase the risk of contamination of fresh produce through poor food handling and preparation practices. Minimally processed produce, such as fresh squeezed juices and fresh-cut fruits and vegetables, while convenient, have not been heat treated to kill pathogens. If this processing is followed by long storage periods, especially at warm temperatures, harmful microbes that may be present can survive and grow, increasing the risk of foodborne illness.



*Salmonella as seen with an electron microscope.*



## Changing microorganisms

Over the last 20 to 30 years, scientists have observed many genetic changes in microorganisms. These changes include adaptation to stresses in the environment, allowing microorganisms to grow where they once could not survive. Bacteria such as *Yersinia enterocolitica*, *Listeria monocytogenes*, and *E. coli* O157:H7 are capable of growing slowly at refrigerator temperatures and some bacteria, such as *E. coli* O157:H7 and *Salmonella enteritidis*, can cause serious human illness when only a small number of cells are ingested. Scientists are studying these adaptive stress responses in microbes to learn more about how these mechanisms work in order to devise better control methods.

## You Can Reduce the Risk

Microbial contamination of produce can occur at any point from farm to fork. One of the keys to reducing microbial risks on the farm is the commitment of the farm owner and all farm workers. This booklet provides an overview of practical and reasonable good agricultural and manufacturing practices that can be implemented on farms and in packinghouses to reduce the risk of foodborne pathogens on produce. It was developed to assist growers in continuing to provide nutritious, healthy, and safe fruits and vegetables to customers.

Reviewing, evaluating, and strengthening current good agricultural practices (GAPs) used on the farm and good manufacturing practices (GMPs) used in packing facilities can reduce microbial risks. Growers need to be aware of the microbiological problems that can occur and need to take steps to help protect public health, as well as their families, businesses, and livelihoods. Financial losses resulting from a foodborne outbreak can be devastating to a business. There is no way to guarantee that everything grown on the farm is free from harmful microorganisms but, by taking some preventive measures during all phases of production, these risks can be reduced.

## Sources of Potential On-Farm Contamination

- Soil
- Irrigation water
- Animal manure
- Inadequately composted manure
- Wild and domestic animals
- Inadequate field worker hygiene
- Harvesting equipment
- Transport containers (field to packing facility)
- Wash and rinse water
- Unsanitary handling during sorting and packaging, in packing facilities, in wholesale or retail operations, and at home
- Equipment used to soak, pack, or cut produce
- Ice
- Cooling units (hydrocoolers)
- Transport vehicles
- Improper storage conditions (temperature)
- Improper packaging
- Cross contamination in storage, display, and preparation

## Record Keeping

Keeping records of all farm operations is very important, especially when it comes to food safety. With today's complex food system, fresh produce rarely moves directly from the grower to the consumer, but often is handled many times before it reaches the market or is consumed. When foodborne illness outbreaks occur, attempts are made to trace the contamination back to the point of origin. Documenting any manure use, water test results, and worker training programs may provide important data that indicates the contamination did not occur on the farm. Good records facilitate ease of auditing by buyers and regulatory agencies, and help prevent the need for formal regulations. Documentation also highlights a grower's commitment to reducing microbial risks to fruits and vegetables.

## Potential Sources of On-Farm Contamination

There are many possible ways for produce to become contaminated by harmful microorganisms during production, harvest, and handling (see list



on left). While contamination can occur anywhere in the flow of food from farm to fork, our focus begins on the farm. Of particular concern are manure management, water use, and farm worker health and hygiene.

## Manure

The use of improperly aged or treated manure can increase microbial risks and contribute to foodborne illness. The possibility that fecal matter may come into contact with produce and that water might splash pathogens in the manure onto field produce are both important concerns. Pathogens such as *E. coli* O157:H7, *Salmonella*, and *Campylobacter* can be present in manure slurry and soil for up to 3 months or more, depending on temperature and soil conditions. Troubling for



growers is the fact that *Listeria monocytogenes* can survive in the soil for much longer than 3 months. *Yersinia enterocolitica* may survive, but not grow, in soil for almost a year.

### Water

Another possible source of harmful microorganisms is water used for irrigation, produce cooling, washing, dipping, and processing operations. Water can carry pathogens and contaminated water can cause illness. In September, 1999, a waterborne outbreak of *E. coli* O157:H7 occurred in Washington County, New York. After heavy rains, water-containing *E. coli* O157:H7 contaminated a nearby well. More than 1,000 people became ill from drinking the contaminated well water and two people died. Not only is potable water important for safety reasons, but it also increases the postharvest quality of produce by decreasing decay.

### Handwashing, Health, and Hygiene

Many pathogens can be transferred to fresh fruits and vegetables by workers who pick, package, or handle the produce. The failure of people working with food to wash their hands after using the toilet has been the cause of many foodborne illness outbreaks.

Frequent, proper handwashing is an effective strategy for helping to prevent foodborne illness; however, few people do it properly. Here's how:

- Wet hands with clean, warm water, apply soap, and work up a lather.
- Rub hands together for at least 20 seconds (sing the ABC song to yourself – that takes about 20 seconds).
- Clean under the nails and between the fingers. Rub fingertips of each hand in suds on palm of opposite hand.
- Rinse under clean, running water.
- Dry hands with a single-use towel.

To facilitate proper handwashing, clean restroom facilities should be provided for field and packinghouse workers. Soap, potable water, and



Welcome  
**U-Pick Customers**

We work hard to ensure the safety of the produce on this farm by following

**Good Agricultural Practices.**

Please do your part to ensure produce safety by **WASHING YOUR HANDS** before you pick any produce.

**Thank You.**



*Remember to exclude all pets from the produce fields.*

single-use towels should be supplied so workers can wash their hands and reduce the risk of contaminating fresh produce. Restrooms should be easily accessible and cleaned and sanitized on a regular basis to encourage their use.

Worker health also influences produce safety. People who are ill with hepatitis A or who have symptoms of nausea, vomiting, or diarrhea can transmit harmful microorganisms to fruits and vegetables and should not handle these foods. Open or infected wounds, blisters, or cuts also can transmit harmful pathogens to produce. Workers who have cuts or who have slight illnesses, but are healthy enough to work, should be assigned to nonproduce contact jobs or provided with adequate bandages and gloves to reduce the risks of contamination.

Worker hygiene and health are very important for the production of safe, fresh fruits and vegetables. Educating workers about the risks, enforcing the use of toilets and handwashing facilities, paying close attention to the health of workers, and encouraging them to report illnesses are a few simple steps growers can take to reduce the risk of pathogens being spread from workers to fresh produce.

### ***Handwashing, Health, and Hygiene Considerations for U-Pick Farms***

Growers who follow good agricultural and management practices on their farms should encourage U-Pick customers to wash their hands before entering the field. Much effort and hard work has taken place to ensure the quality and safety of the U-pick crop long before customers enter the field. Many growers fear they will insult customers by asking them to first wash their hands, but many customers may find it reassuring that the farm owner is concerned with the safety of both the crop and the customer. Small signs can be posted stating the purpose of handwashing and directing customers to the handwashing facilities on the farm.

### Plan Before Planting

- Select site for produce based on land history and location
- Use careful manure handling
- Keep good records



## Minimizing Risks Starts Before Planting

### Site Selection

Select land for fruit and vegetable crops based on the land history, previous manure applications, and crop rotation. Keep produce fields away from animal housing, pastures, or barnyards. Study water movements on land to make sure that livestock waste from nearby barnyards cannot enter produce fields via runoff or drift.

- Review land history – Was it used for industrial dumping? Have animal waste or sludge/biosolids been applied? If yes, when?
- Ensure fields are upstream and upwind from animal containments.
- Identify upstream uses of surface water and test microbiological quality as needed.
- Ensure that contaminated water or livestock waste cannot enter a field via runoff or drift.
- Contact a local Cooperative Extension Service or Natural Resource Conservation Service representative to develop a detailed farm environmental management plan.

### Manure Handling and Field Application

Livestock manure can be a valuable source of nutrients, but it also can be a source of human pathogens if not managed correctly. Organic certification programs currently include strict requirements on the handling of raw manure. Even though these requirements are designed to minimize environmental risks, it is important that all farms using manure follow good agricultural practices to reduce any microbial risk that may exist. Proper and thorough composting of manure, incorporating it into soil prior to planting, and avoiding top-dressing of plants are important steps toward reducing the risk of microbial contamination.





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*For effective composting, monitor temperature of pile and turn to aerate.*

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## Consider the source, storage, and type of manure being used on the farm

- Store manure as far away as practical from areas where fresh produce is grown and handled. If manure is not composted, age the manure to be applied to produce fields for at least six months prior to application.
- Where possible, erect physical barriers or wind barriers to prevent runoff and wind drift of manure.
- Store manure slurry for at least 60 days in the summer and 90 days in the winter before applying to fields.
- Actively compost manure. High temperatures achieved by a well-managed, aerobic compost can kill most harmful pathogens. Remember to optimize temperature, turning, and time to produce high quality, stable compost. See references at the end of this booklet for additional details.

## Plan manure application timing carefully

- Apply manure in the fall or at the end of the season to all planned vegetable ground or fruit acreage, preferably when soils are warm, nonsaturated, and cover-cropped.
- If applying manure in the spring (or the start of a season), spread the manure two weeks before planting, preferably to grain or forage crops.
- DO NOT harvest vegetables or fruits until 120 days after manure application.
- Remember to document rates, dates, and locations of manure applications.

## Incorporate manure into the soil

- Incorporate manure immediately after application. Although it is known that many harmful pathogens do not survive long in the soil, research is still needed on soil mi-



crobes and pathogen interactions. Some pathogens, such as *Listeria monocytogenes*, may survive and grow in the soil.

- If it is necessary to apply manure or slurry to vegetable or fruit ground, incorporate it at least two weeks prior to planting and observe the suggested 120-day preharvest interval.
- If the 120-day waiting period is not feasible, such as for short season crops like lettuce or leafy greens, apply only properly composted manure.

### Choose appropriate crops

- Avoid growing root and leafy crops in the year that manure is applied to a field.
- Apply manure to grain or forage crops.
- Apply manure to perennial crops in the planting year only. The long period between application and harvest will reduce the risks.

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2. Rudólf, W., L.L. Falk, R.A. Ragotzkie. 1950. Literature review on the occurrence and survival of enteric, pathogenic, and relative organisms in soil, water, sewage, and sludges, and on vegetation. I. Bacterial and virus diseases. *Sewage and Industrial Wastes.* 22: 1261-1281. II. Animal parasites. *Sewage and Industrial Wastes.* 22: 1417-1427.
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### Field Management Considerations

- Optimize irrigation water quality and methods
- Avoid manure sidedressing
- Practice good field sanitation
- Exclude animals and wildlife
- Emphasize worker training and hygiene
- Keep records of the above activities



## Minimize Risks During Production

### *Irrigation Water Quality and Methods*

If water that is used to irrigate or spray protective chemicals onto crops becomes contaminated with harmful microorganisms, it can spread the pathogens to the crops. Municipal water and potable well water provide the lowest risk for irrigation purposes. However, using these water sources is often not feasible due to field location and size. Surface water is the most common source for irrigation on fruit and vegetable farms. Ideally, upstream neighbors keep animals out of waterways and prevent feedlot runoff from entering streams. Working with local watershed committees to better understand watershed areas and promoting stewardship of these waterways can improve irrigation water quality for all farms and further reduce microbial risks on the farm.



### Irrigation water testing

Depending on the source of irrigation water, different testing frequencies are recommended. Properly sample water and send the samples to a reputable laboratory for analysis of fecal coliforms (consult local extension service for listings). The presence of fecal coliforms indicates that water may have been contaminated with manure and harmful pathogens. Although standards for irrigation water have not been examined in recent years, there are currently two recommendations for evaluating microbial water quality.

- The Environmental Protection Agency (EPA) established a standard for reclaimed water (treated effluent) used on non-processed fresh produce of less than 2.2 fecal coliforms per 100 milliliters (mls) of water. This is considered free of pathogens for nonpotable agricultural purposes. If higher densities of fecal coliforms are de-



*Petri dish containing bacterial colonies of E. coli O157:H7*



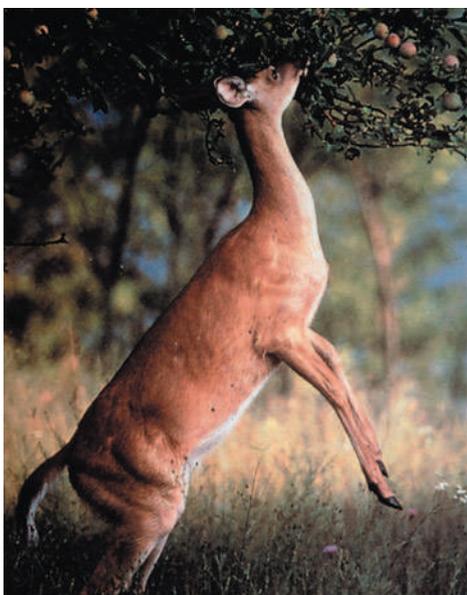
tected, it is suggested that growers do not use overhead irrigation.

- Researchers from the University of California concluded in earlier research on irrigation water quality that 1,000 fecal coliforms in 100 mls of water was acceptable based on survival studies of several pathogens on produce.

This broad range of recommendations highlights the need for more research. Until recommendations specific to surface water are developed and tested, use these guidelines to interpret farm water test results. Water quality may be more important for water that comes in direct contact with the edible part of the plant, especially close to harvest. Awareness of irrigation water quality will assist in the selection of irrigation practices that minimize the risks of spreading pathogens to fresh produce.

Below are recommendations for testing water sources. For additional information or local recommendations, consult a county or state Cooperative Extension Service educator.

- Municipal water: Acquire test results from the local water authority annually.
- Well water: Test biannually and treat the well if fecal coliforms are present. If the well casing is secure and well-maintained, and if livestock and manure storages are excluded from the well recharge and pumping area, then the risk of contamination is greatly reduced.
- Surface water: Test quarterly in warm climates such as California, Florida, Texas and other southern states. Test three times during the growing season in northern climates such as New York, Pennsylvania, and Michigan – first at planting, second at peak use, third at or near harvest.
- Keep records for all water tests. If water test results indicate the presence of fecal coliforms, filtering the water or using settling ponds can reduce these counts in



surface water systems. If a well is contaminated, it can be chemically treated to reduce fecal coliform counts.

### **Irrigation method**

- Use drip irrigation whenever possible. This method minimizes the risk of crop contamination because the edible parts of most crops are not wetted directly. Plant disease levels also may be reduced and water use efficiency is maximized with this method.
- Microbial risks in overhead irrigation are minimized by using potable water. Maintaining wells and treating them if fecal coliforms are present ensures clean water for irrigation. If surface water is used for overhead irrigation, examine the source of the water and be aware of upstream uses of that waterway. By applying overhead irrigation in the morning, water use efficiency is maximized and leaf drying time reduced. Rapid drying and ultraviolet light will reduce survival of both plant and human pathogens on crops.
- Consider not applying overhead irrigation within one week of harvest, if drawing from surface water source.
- Keep records of application methods, rates, and dates.

### **Sidedressing Crops with Manure**

- DO NOT sidedress fruit and vegetable crops with fresh or slurry manure.
- If sidedressing is required, well-composted or well-aged (greater than one year) manure should be used for the application.

### **Field Sanitation and Animal Exclusion**

- Stay out of wet fields to reduce the spread of plant or human pathogens.
- Clean tractors that were used in manure handling prior to entering produce fields.



- DO NOT allow animals, including poultry or pets, to roam in crop areas, especially close to harvest time.
- Minimize wild animal and bird traffic in ponds and through fields where possible.

### Worker Facilities and Hygiene



- Provide convenient, clean, well-maintained, and serviced toilet facilities in the field.
- Supply liquid soap in dispensers, potable water, and single-use paper towels for handwashing. Make sure they are restocked regularly.
- Emphasize the importance of restroom use and proper handwashing.
- Monitor and enforce use of these facilities.
- Reassign sick employees to duties that do not require direct contact with produce.
- Provide training to help workers understand the relationship between food safety and personal hygiene.
- Supervisors should exhibit good personal hygiene. Be a good role model and encourage crew supervisors to set a good example.



### Section References

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8. *Water Treatment Notes: Chlorination of Drinking Water*. Section 5, (Wagenet and Lemley) 329FS5.1989. Cornell University Resource Center.

### Harvest Considerations

- Clean and sanitize storage facilities and produce contact surfaces prior to harvest
- Clean harvesting aids each day
- Emphasize worker hygiene and training
- Emphasize hygiene to U-Pick customers
- Be sure to keep animals out of the fields and orchards
- Do not use drops in production of unpasteurized cider or juice



## Minimize Risks at Harvest

### *Bin and Harvest Aid Sanitation*

- High pressure wash, rinse, and sanitize all crop containers before harvest, including wooden bins.
- Cover clean bins when not used immediately to avoid contamination by birds and animals.
- DO NOT allow people to stand in bins during harvest. Boots and shoes can carry pathogens and contaminate the harvest bins and harvested produce.
- Remove field soil from the outside of bins prior to moving them into packing areas.

### *Worker Hygiene and Training*

Good personal hygiene is particularly important during the harvest of crops. Sick employees or those with contaminated hands can spread pathogens to produce. Employee awareness, meaningful training, and accessible restroom facilities with handwash stations encourage good hygiene. For handwashing instructions, review "Handwashing, Health, and Hygiene" on page 9. For information concerning proper facilities, review "Worker Facilities and Hygiene" on page 17.

### *U-Pick Customer Hygiene*

In U-Pick operations the personal hygiene of customers is just as important as that of field workers.

- Provide convenient, well-maintained, and serviced toilet facilities for customers near the field.
- Supply liquid soap in dispensers, potable water, and single-use paper towels for handwashing near the restrooms.
- Invite customers to wash their hands before entering the picking field. Use large posters and other devices to emphasize the importance of washing hands before



*Provide clean, well-maintained, and serviced toilet facilities in the field. Be sure to supply soap, clean water, and single-use towels for handwashing, and enforce their use.*

picking crops. Handwashing posters are often available from local health departments.

### **Storage Facility Sanitation**

Sanitized storage facilities help to keep crops free from pathogen contamination and increase postharvest shelf life of produce.

- Wash, rinse, and sanitize storage facilities, equipment, and food contact surfaces before harvesting and storing crops.
- Thoroughly clean facilities, equipment, and food contact surfaces before they are sanitized. Dirt and organic matter on surfaces prevent sanitizers from killing bacteria and viruses.
- Use approved products to sanitize food contact surfaces. Commercial products often contain chlorine or quaternary ammonium compounds.
- Ensure that refrigeration equipment is working properly. Measure and record temperature of refrigeration units at least once a week.

### **Cider and Juice Production**

- DO NOT use drops for production of cider or fruit juices, especially if the juices are not pasteurized. Drops may have come in contact with animal feces on the ground.
- DO NOT use decayed or wormy fruit. Harmful pathogens may be present in decayed fruit.
- Wash fruit with clean water or approved sanitizers. Use effective brushes to scrub fruit prior to pressing.
- DO NOT allow pets in an orchard, grove, or field. Attempt to exclude wild animals when possible.
- Strongly consider pasteurizing juice and cider. To identify economical ways to do this, contact a local Cooperative Extension Service educator.



### Postharvest Considerations

- Enforce good worker hygiene
- Clean and sanitize packing area and lines daily
- Maintain clean wash water
- Cool produce quickly and maintain cold chain
- Sanitize trucks before loading
- Be sure to keep animals out of packinghouse and storage facilities



## Minimize Risks During Postharvest Handling

Proper handling of fresh produce after it leaves the field can help to prevent contamination with pathogens.

### Worker Hygiene

Hands can contaminate fresh fruits and vegetables with harmful microbes. The cleanliness of a worker's hands throughout all phases of production and packing cannot be over-emphasized.

- Provide convenient, well-maintained, and serviced toilet facilities in the packinghouse.
- Supply liquid soap in dispensers, potable water, and single-use paper towels for handwashing.
- Educate workers about the importance of restroom use and proper handwashing. Wash hands:
  - After using the restroom
  - Before starting or returning to work
  - Before and after eating or smoking
- Monitor and enforce the proper use of these facilities.
- Prevent sick workers from working directly with produce.
- Encourage proper use of disposable gloves on packing lines.
- Provide bandages, clean gloves, hairnets, and aprons as needed.

### Keep the Packinghouse Clean and Sanitary

- Ensure that contaminated water and livestock waste cannot enter packinghouse via runoff or drift.
- Wash, rinse, and sanitize packing areas and floors at the end of each day.



- Exclude all birds and animals, especially rodents. Use screening where necessary.
- DO NOT allow packinghouse workers to eat or smoke in the packing area. Workers might contaminate their hands with bacteria or viruses from their mouths. Provide a separate break area where workers can eat, smoke, and store personal items. Require workers to wash their hands before returning to work, after taking a break, or using the restroom.
- DO NOT wear field clothes, especially shoes and boots, into the packinghouse.



### Washing Operations and Packing Lines

To prevent contamination with pathogens, keep washing and packing operations clean and sanitary.

- Use chlorinated water and other labeled disinfectants to wash produce. Various formulations of sodium hypochlorite are available and registered with the EPA. Check with state regulatory agencies for additional restrictions or for a more complete list of registered sanitizers. For commodity-specific recommendations of chlorinated wash water, see the chart below.
- Accurately measure chlorine bleach (sodium hypochlorite) when it is added to the measured amount of wash water (see chart on page 22). Many fruits and vegetables are

Crop	**Chlorine Strength	References
General	50-500 ppm	11, 16
Apples	100-150 ppm	13, 17
Asparagus	125-250 ppm	15
Cantaloupe, honeydew	100-150 ppm	15
Lettuce, cabbage, leafy greens	100-150 ppm	10, 12, 14, 18
Tomatoes, potatoes, peppers	200-350 ppm	9

\* ppm = parts per million    \*\* Total titratable chlorine

Target ppm	ml/L	tsp/ 5 gal	cup/ 50 gal
<b>Sodium Hypochlorite 5.25%</b>			
50	0.95	3 2/3	3/4
75	1.43	5 1/2	1 1/10
100	1.90	7 1/4	1 1/2
125	2.40	9 1/10	1 7/8
150	2.90	10 7/8	2 1/4
<b>Sodium Hypochlorite 12.75%</b>			
50	0.39	1 1/2	1/3
75	0.59	2 1/4	1/2
100	0.78	3	3/5
125	0.98	3 3/4	4/5
150	1.18	4 1/2	9/10

*tsp = teaspoon*



sensitive to high levels of chlorine. In some instances, 200 ppm of chlorine is sufficient to damage sensitive produce. For further information, contact a local Cooperative Extension Service or commodity organization.

- Change the water when it gets dirty or after several hours of operation.
- Use a sanitizer test kit or swimming pool kit to monitor the level of chlorine in the sanitizer solution. Maintain pH at 6.0-7.0 so that chlorine will remain active.
- Keep wash water not more than 10°F cooler than produce. (See "Produce Cooling and Cold Storage" below.)
- Wash, rinse, and sanitize the packing line belts, conveyors, and food contact surfaces at the end of each day to avoid buildup of harmful microorganisms.
- Store packaging materials in a clean area.
- Keep Material Safety Data Sheets (MSDS) for cleaning and sanitizing products in a place accessible to all employees.

### **Produce Cooling and Cold Storage**

- Cool fruits and vegetables quickly to minimize the growth of pathogens and maintain good quality.
- If ice is used to cool produce, make sure that it is made from potable water.
- Avoid cooling water bath temperatures that are greater than 10°F cooler than the produce pulp temperature. Some produce draws water into its stem areas when cooling water temperature is much lower than the temperature of the produce. If there is a pathogen on the produce or in the water, it could get drawn into the produce interior along with the water. This concern is highest for tomatoes, peppers, apples, and potatoes.
- Do not load refrigeration rooms beyond their cooling capacity.



## Transportation of Produce from Farm to Market

- Ensure that transportation vehicles are clean and sanitary. Dirty vehicles can contaminate produce with harmful microbes.
- Be sure that fresh fruits and vegetables are not shipped in trucks which have carried live animals or harmful substances. If these trucks must be used, thoroughly wash, rinse, and sanitize them before transporting fresh produce.
- Use refrigerated trucks when possible.



## Implement Traceback System

- Be sure that each package leaving the farm can be traced to field of origin and date of packing.
- Records of lot numbers should be maintained for all loads and packaged produce leaving the farm.



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## Food Safety Is Everyone's Responsibility

Finally, it should be emphasized that food safety, from farm to fork, is the responsibility of everyone throughout the food system. In addition to growers and packers, food handlers such as food processors, retailers, food service workers, and even consumers in their homes have a responsibility for food safety. The guidelines in this booklet may be a departure from practices traditionally followed by growers and packers. However, the safety of fruits and vegetables can be enhanced if some of these guidelines are put into practice, where appropriate and feasible. Remember, food safety begins on the farm.

For further assistance, or if specific questions concerning good agricultural practices exist, contact county or state Cooperative Extension Service educators or agricultural food safety representatives. They can assist in understanding and implementing these guidelines on the farm.



## Selected References for Further Information

Code of Federal Regulation Web site:  
[www.access.gpo.gov/nara/cfr/](http://www.access.gpo.gov/nara/cfr/).

Drinking water regulations: [http://ww1.access.gpo.gov/GPOAccess/sitesearch/nara/cfr/waisidx\\_99/40cfrv15\\_99.html](http://ww1.access.gpo.gov/GPOAccess/sitesearch/nara/cfr/waisidx_99/40cfrv15_99.html).

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EPA. 1999. Wastewater Technology Fact Sheet: Chlorine disinfection. Office of Water. Washington, DC. EPA-832-F-99-062.

EPA. 1999. Wastewater Technology Fact Sheet: Ozone disinfection. Office of Water. Washington, DC. EPA-832-F-999-063.

EPA. 1999. Wastewater Technology Fact Sheet: Ultra-violet disinfection. Office of Water. Washington, DC. EPA-832-F-99-064.

EPA Ambient Water Quality Criteria for Bacteria. Office of Water Regulations and Standards. EPA 832-B-92-005, January, 1986. Web site: [www.epa.gov](http://www.epa.gov).

EPA Domestic Septage Regulatory Guidance. EPA 503 Rule. 832-B-92-005, September, 1993.

EPA. R.E.D. Facts: Peroxy compounds. Prevention, Pesticides and Toxic Substances. EPA-738-F-93-026.

EPA. Total Coliform Rule and Surface Water Treatment Rule.

*Field Guide to Compost Use*. Composting Council, 114 S. Pitt St., Alexandria, VA 22314. Tel: (703) 739-2401.

*Guide to Minimize Microbial Food Safety Hazards for Fresh Fruits and Vegetables*. U.S. Department of Health and Human Services, Food and Drug Administration, Center for Food Safety and Applied Nutrition (CFSAN), October, 1998. 40 pages. Web site: <http://www.fda.gov>. Tel: (202) 260-8920. Also available in six-page outline form entitled "Guide At A Glance."

NOFA-NY. Organic Certification Standards. Northeast Organic Farming Association of New York, Inc.

*The Packer*, "Microbes Grab the Spotlight," Vol. CIV, No. 54, 1998.

For information about obtaining portable toilet facilities, contact Portable Sanitation Association International at (800) 822-3020 or local sanitation facilities distributors.

Resources available from Natural Resource, Agriculture, and Engineering Service (NRAES), Cooperative Extension, 52 Riley-Robb Hall, Ithaca, NY 14853-5701. Tel: (607) 255-7654. Fax: (607) 254-8770. E-mail: <NRAES@cornell.edu> <<http://www.nraes.org/>>.

Examples:

On-Farm Composting Handbook, NRAES-54. 1992.

Sprinkler Irrigation Systems, MWPS-30. 1999.

Trickle Irrigation in the Eastern United States. NRAES-4. 1985.

Workforce Management for Farms and Horticultural Businesses: Finding, Training, and Keeping Good Employees. NRAES-117. 1999.

Also see NRAES' extensive listing of farm waste management publications.

Resources available from Cornell University's Media Services Resource Center, 7 Business and Technology Park, Ithaca, NY 14850. Tel: (607) 255-2080. Fax: (607) 255-9946. E-mail questions, comments, and orders to: <resctr@cornell.edu> <http://www.cce.cornell.edu/publications/agriculture.html>. Examples:

Human Resource Management on the Farm 121AE88-22. 1988.

Produce Handling for Direct Marketing 123NRAES51. 1992.

Refrigeration and Controlled Atmosphere Storage for Horticultural Crops 123NRAES22. 1992.

On-Site Sewage Treatment Systems: Keeping Our Water Clean 329VOSSTS (video). 1995.

Cooperative Watershed Protection: What Makes It Work? 174CWP. 1996.

Groundwater Contamination. 174GW2, 174GC. 1990.

Private Drinking Water Supplies: Quality, Testing, and Options for Problem Waters. 123NRAES47. 1994.

Watershed Hydrology. 125VWH (video). 1995.

Water Treatment Notes: Chlorination of Drinking Water. 329FS5. 1989.

Field Sanitation Resource Manuals for CA, CO, FL, GA, IL, MI, NJ, Puerto Rico, TX, WA. Produced as part of the Migrant Environmental Services Assistance Project. Rural Community Assistance program, 602 South King Street, Suite 402, Leesburg, VA 22075. Tel: (703) 771-8636. Fax: (703) 771-8753.

Additional references and information available. Tel: (607) 254-5383. E-mail: [eab38@cornell.edu](mailto:eab38@cornell.edu).

## Glossary

### Case

The illness of one person associated with the food.

### Clean or Cleaning

Removing soils and residues from surfaces by washing and scrubbing with soap or detergent and rinsing with clean water.

### Cold Chain

The maintenance of proper cooling temperatures throughout the food system (farm to fork) for fruits and vegetables to assure product safety and quality.

### Contaminate

To transfer impurities or harmful microorganisms to food surfaces or water.

### Foodborne Illness

An illness or disease transmitted to people through food products that results from ingesting foods which contain pathogens, their toxins, or poisonous chemicals.

### Good Agricultural Practices (GAPs)

The basic environmental and operational conditions that are necessary for the production of safe, wholesome fruits and vegetables.

### Hepatitis A Virus

A virus that causes a disease of the liver called infectious hepatitis. Hepatitis A can be found in water that has been contaminated with raw sewage and in shellfish that have been harvested from fecally contaminated waters. Infected workers also can transmit hepatitis A.

### Microorganism

Bacteria, molds, viruses, and other organisms so small that they cannot be seen without the aid of a microscope. Another word for microorganism is microbe. Some microorganisms are beneficial and help create desirable food products, some cause foods to spoil, and some harmful microorganisms can cause sickness and even death.

### Nonpotable water

Water that is not safe to drink. Nonpotable sources of water may include lakes, ponds, rivers, and stream water that has been polluted by human sewage or animal waste runoff, or contaminated with pest-control chemical runoff from agricultural fields or residential lawns.

### Outbreak

A foodborne disease outbreak is defined by the Centers for Disease Control and Prevention (CDC) as an incident in which two or more persons experience a similar illness after ingestion of a common food, and epidemiological analysis implicates the food as the source of the illness.

### Pathogen

Any microorganism that causes disease in humans.

### pH (Acidity/Alkalinity)

pH is the measure of the acidity or alkalinity in a food product. It is expressed on a scale from 0 to 14, with 7 being neutral. Below pH 7 is considered acid (e.g., citrus fruits) while above pH 7 is defined as alkaline (e.g., peas and corn).

**Potable Water**

Clean water that is safe to drink.

**Produce Contact Surfaces**

Surfaces of equipment with which fruits and vegetables come into contact.

**Rinsing**

Removal of residues, soil, grease, soap, and detergents from surfaces by flushing with potable water.

**Sanitizer**

A chemical compound designed to kill microorganisms. Two of the most commonly used sanitizers are chlorine bleach and quaternary ammonium compounds ("quats"). A sanitizer solution is made by mixing a small, measured amount of the sanitizer with potable water according to the directions given by the manufacturer or by agencies that deal with farms and food.

**Sanitizing**

Treatment to kill microorganisms. Includes rinsing, soaking, spraying, or wiping the surface with a sanitizing solution. Surfaces should be properly washed and rinsed before they are sanitized. An unclean surface cannot be effectively sanitized because soap and soil inactivate sanitizing solutions.

**Total Titratable Chlorine**

The amount of chlorine determined by an acidified starch iodide and thiosulfate titration.

**Traceback**

The ability to trace a fruit or vegetable back to its field of origin. A common practice used by health officials to investigate foodborne illness outbreaks.

**Washing**

Removing all soil or food residues from surfaces by scrubbing with soap or detergent.

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# Do I Need a Food Service Permit?

Answers to Questions about Specific Food Items

Food Items	Is a permit needed?	Can a home kitchen be used?	Is an approved kitchen needed?
Jams, Jellies	No	Yes*	No
Dry Herbs or Teas	No	Yes*	No
Popcorn	No	Yes	No
Raw Honey	No	Yes	No
Syrups	No	Yes	No
Vinegar with herbs	No	Yes	No
Baking mixes	Yes	No	Yes
Caramel Popcorn	Yes	No	Yes
Cheese Breads	Yes	No	Yes
Cream Cheese Topping	Yes	No	Yes
Donuts, Fry Bread, Elephant Ears	Yes	No	Yes
Dried Mushrooms	Yes	No	Yes
Espresso/Italian Sodas	Yes	No	Yes
Fish	Yes	No	Yes
Lemonade	Yes	No	Yes
Pasta Making	Yes	No	Yes
Peas, Shelled	Yes	No	Yes
Pesto	Yes	No	Yes
Pickled Beets	Yes	No	Yes
Salad Dressings	Yes	No	Yes
Salads (Pre-packed)	Yes	No	Yes
Sandwiches	Yes	No	Yes
Sauerkraut	Yes	No	Yes
Shellfish	Yes	No	Yes
Sourdough Starter	Yes	No	Yes
Sprouts	Yes	No	Yes

\* Must be sold by the individual who prepared the foods to a Bed & Breakfast, Hostel, Farmer's Market, or seasonal event such as a bazaar or fair.

Answers to other questions that have come up:

Eggs: Fresh, whole eggs can be sold at the market. Only one carton at a time should be left out for display. Other cartons should be refrigerated. A permit is not needed.

Mushrooms: Wild, edible mushrooms can be sold as long as there is a sign present giving their common name, and including the statement "Wild mushrooms; not an inspected product" Any processing such as cutting, drying, or packaging needs to be done in a permitted, approved facility.

## Article 2 Shell Egg Regulations

### Section

- 110. General requirements.
- 120. Grade and weight classes.
- 130. Labeling cases, cartons, and other containers.
- 140. Ownership of eggs.
- 150. Misrepresentation.
- 160. Inspection of imported eggs prior to shipment.
- 170. Exemptions.
- 180. Terms pertaining to egg quality.
- 190. Definitions.

### **11 AAC 32.110. General requirements**

(a) All Alaska produced shell eggs sold, displayed, offered for sale, or for shipment within the state for general consumption, shall conform to one of the Grade and Weight classes as stated in 11 AAC 32.120, and shall be labeled to conform with 11 AAC 32.130.

(b) All shell eggs shipped into the state for general consumption shall conform to one of the grade classes and weight classes as stated in 11 AAC 32.020. and shall be labeled to conform with 11 AAC 32.050.

**History: In effect before 7/28/59**

**Authority:** AS 03.05.010 - 03.05.080

### **11 AAC 32.120. Grade and weight classes**

(a) The shell egg grades adopted and designated as official grades for the state are identical to those of the United States Department of Agriculture, presently in effect and as amended from time to time.

These regulations are adopted by reference. The official U.S. Standards, Grades, and Weight Classes for Shell Eggs, are published by the U.S. Department of Agriculture and are available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20250 and from State Division of Agriculture, Department of Natural Resources, P.O. Box 949, Palmer, Alaska 99645.

(b) Additional Permitted Tolerances.

(1) Within the maximum tolerance permitted, an allowance will be made at receiving points or shipping destination for one-half percent leakers in Grades AA, A, and B, and one percent in Grade C.

(2) At shipping destination an additional tolerance of five percent shall be permitted for checks. This tolerance is provided for the purpose of compensating for shell damage that might occur during extreme handling conditions and are not applicable to point of origin inspection.

(c) Weight Classes: The Weight classes adopted and designated as official for the State are identical to those of the United States Department of Agriculture, presently in effect and as amended from time to time.

These regulations are adopted by reference. The official U.S. Standards, Grades, and Weight Classes for Shell Eggs, are published by the U.S. Department of Agriculture and are available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20250 and from the State Division of Agriculture, Department of Natural Resources, P.O. Box 949, Palmer, Alaska 99645.

**History: In effect before 7/28/59; am 1/5/60, Register 2**

**Authority:** AS 03.05.010 - 03.05.080

### **11 AAC 32.130. Labeling cases, cartons, and other containers**

(a) Standard shipping containers containing shell eggs shall be deemed to meet the requirements of this chapter when the name and address of producer, packer, or distributor of such eggs, and the grade and weight class of the eggs contained therein are legibly shown on one outward end of each container. The grade and Weight class shall be shown in letters not less than one-half inch in height.

(b) Cartons, boxes, bags, or other consumer packages containing eggs intended for sale by distributors or retailers shall be deemed to meet the requirements of this chapter when the name and address of the packer, distributor, producer, or retailer and the grade and weight class of the eggs contained therein are legibly and visibly shown on the front or top of each container. The grade and weight class shall be shown in letters not less than one-fourth of one inch in height.

(c) Whenever loose eggs, commonly referred to as bulk displays, are offered for sale to consumers in baskets, cases, boxes, or other containers, by distributors or retailers, the display containers shall be labeled to legibly and visibly show the name and address of the packer, distributor, or producer and the correct grade and weight class of the eggs contained therein, with legible letters not less than one-half inch high. The grade and Weight class shall be written or printed on, or otherwise attached to or clearly associated with, the containers or display of such eggs, and such designation shall be plainly visible to the public when the eggs or containers of such eggs are visible to the public.

(d) Inspection and/or labeling marks, having reference to shell eggs or shell egg products appearing on any container by reason of previous use shall be removed or obliterated before re-use.

(e) All label information required by this section shall be in the English language.

(f) All containers (including display containers of bulk eggs) of eggs not produced in the state shall contain the word "Imported" or the state of origin on the top facing of each container in legible and conspicuous letters not less than one-half of one inch in height. Standard shipping containers shall be deemed to meet the requirements of this chapter when the word "imported" or state of origin is on one outward end of each container.

**History: In effect before 7/28/59; am 1/5/60, Register 2**

**Authority: AS 03.05.010 - 03.05.080**

#### **11 AAC 32.140. Ownership of eggs**

All eggs shall be considered the property of the person in Whose possession or on Whose premises they are found except those in the custody of common carriers, or persons, firms, or corporations engaged only to transport eggs, or public warehouses where the owner is identified by record.

**History: In effect before 7/28/59**

**Authority: AS 03.05.010 - 03.05.080**

#### **11 AAC 32.150. Misrepresentation**

(a) Eggs shall not be offered for sale, exposed for sale, or held in possession with intent to sell in the state, if the package, container, or display, bears any statement or device which is false or misleading in any manner.

(b) The Word "fresh," "nulaid," "country," "henery," "day-old," "select," "certified," "best," "fresh-laid," "guaranteed," or any other similar descriptive terms are prohibited in connection with advertising or selling eggs unless such eggs conform to at least Grade A as defined in sec. 120 of this chapter.

(c) Eggs shall not be referred to as Alaskan or local eggs in any manner unless produced in Alaska.

(d) Eggs shall not be referred to in any manner as "airborne" unless transported into the state by aircraft.

**History: In effect before 7/28/59**

**Authority: AS 03.05.010 - 03.05.080**

#### **11 AAC 32.160. Inspection of imported eggs prior to shipment**

(a) Eggs shipped into the state from other states shall be inspected by an authorized inspector within 72 hours of shipment and shall meet the grade, and marking requirements set forth in this chapter. Each case shall be legibly stamped with the United States Department of Agriculture official grade mark and date of inspection.

(b) Eggs shipped into the state from Canada shall be inspected by an official Canadian inspector within 72 hours of shipment and shall meet the grade, and marking requirements set forth in this chapter. Each case shall be legibly stamped with the official Canadian mark and date of inspection.

**History: In effect before 7/28/59; am 1/5/60, Register 2**

**Authority:** AS 03.05.010 - 03.05.080

#### **11 AAC 32.170. Exemptions**

(a) Eggs shall be exempt from this chapter when sold and packed on a contract basis for Governmental institutions, when such contracts specify inspection at point of origin by an authorized inspector.

(b) Eggs shall be exempt when being delivered to or when in possession of a dealer for candling or grading.

(c) Eggs produced in Alaska shall be exempt from the grading and labeling requirements of this chapter when sold by the producer direct to the consumer.

**History: In effect before 7/28/59; am 1/5/60, Register 2**

**Authority:** AS 03.05.010 - 03.05.080

#### **11 AAC 32.180. Terms pertaining to egg quality**

The standards of quality for individual eggs adopted and designated as official for the state are identical to those of the United States Department of Agriculture presently in effect and as they may be amended from time to time.

These regulations are adopted by reference. The official U.S. Standards, Grades, and Weight Classes for Shell eggs, are published by the U.S. Department of Agriculture and are available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20250 and from the State Division of Agriculture, Department of Natural Resources, P.O. Box 949, Palmer, Alaska 99645.

**History: In effect before 7/28/59**

**Authority:** AS 03.05.010 - 03.05.080

#### **11 AAC 32.190. Definitions**

Unless the context indicates otherwise, in secs. 100 - 190 of this chapter

(1) "authorized inspector" shall include the director, his duly authorized representatives, or any Government employed egg grading inspector;

(2) "candling" means the practice of examining the interior of an egg by the use of transmitted light for determining inedible eggs, and also for determining the condition of the shell, air cell, white, and yolk in classifying eggs as to quality;

(3) "consumer" means any person who purchases eggs for his or her own family use or consumption;

(4) "container" means any egg-shipping case or carton or any other similar device used for the purpose of holding or transporting eggs, or carton, box, bag, or any other similar device used for the purpose of consumer packaging in which eggs are sold;

(5) "director" means the Director of Agriculture of the State of Alaska;

(6) "distributor" means any person, firm, or corporation offering for sale or distributing eggs in the state to a retailer, cafe, restaurant, or any other establishment offering for sale to the public or to an institutional user and shall include

any person, firm, or corporation distributing eggs to his or its own retail outlets or stores but shall not include any person, firm, or corporation engaged only to haul or transport eggs;

(7) "eggs" means the eggs of a domesticated chicken hen, which eggs are in the shell;

(8) "general consumption," when applied to eggs, means shell eggs destined for sale to the general public either through stores, restaurants, mess halls, or in any other manner;

(9) "grade" applies to several or many eggs, such as a dozen, case, or load;

(10) "inedible eggs." Eggs of the following descriptions are classed as inedible: black rots, white rots, mixed rots (addled eggs), sour eggs, eggs With green whites, eggs with stuck yolks, moldy eggs, musty eggs, eggs showing blood rings, eggs containing embryo chicks (at or beyond the blood-ring stage), and any eggs that are adulterated as such term is defined pursuant to the Federal Food, Drug, and Cosmetic Act;

(11) "loss" means an egg that is inedible, smashed, or broken so that the contents are leaking, cooked, frozen, contaminated, or containing bloody whites, large blood spots, large unsightly meat spots, or other foreign material;

(12) "packer" means any person, firm, or corporation that is engaged in grading, shell treating, or packing shell eggs for sale to the public, direct or through distribution outlets of stores;

(13) "producer" means a person, firm, or corporation selling no eggs other than eggs produced by his or its own flock;

(14) "retailer" means any person, firm, or corporation selling or offering for sale eggs for general consumption in the state;

(15) "shipper" means any person, firm, or corporation shipping eggs into the state to a retailer, cafe, restaurant, or any other establishment offering for sale eggs to the public or for institutional use, and shall include any person, firm, or corporation distributing eggs to his or its own retail outlets or stores and shall not include any person, firm, or corporation engaged only to haul or transport eggs;

(16) "sold" or "sale" includes "offer for sale," "expose for sale," have in "possession for sale," "exchange," "barter" or "trade."

(17) "standard" refers to quality specification for a single egg. A group of these standards is combined in varying percentages of stated quality to make grades;

(18) "state" means the State of Alaska;

(19) "time of shipment" means immediately prior to the time eggs are accepted by the carrier transporting them into the state.

**History: In effect before 7/28/59**

**Authority: AS 03.05.010 - 03.05.080**

# Safe Egg Handling for Small Egg Laying Flocks and Operations

LPM-00344

The information in this publication will assist producers, intermediaries and consumers in ensuring that locally produced eggs are produced and maintained with the highest quality and food safety standards in mind. This publication is a collaborative effort among the University of Alaska Fairbanks Cooperative Extension Service, the Alaska Department of Environmental Conservation and the Alaska Division of Agriculture as part of our effort to promote safe and healthy foods for Alaskans, assist in increasing Alaska's food security and decrease the amount of foods imported to Alaska. Individuals with fewer than 3,000 laying hens are exempt from mandatory USDA facility registration and inspections, so in the following pages we discuss ways for small producers to promote egg safety from the hen to the final consumer for small producers. Please see appendix A for links to further information.

## Layer house management

The condition of the egg that you collect is directly related to how well the flock is managed. Feeding hens a well-balanced ration, supplementing their diet with calcium from oyster shells and providing open water all affect egg quality. In addition, the age and health of the flock can also affect egg quality.

However, since these factors are covered in other publications (see appendix A), this fact sheet will focus on how to determine the quality of eggs and how to properly handle them after they are laid.

## Coop and Nest Management

- Keep the laying flock in a secure fenced area separated from wild birds that can transmit disease. Provide them nest boxes so they cannot hide their eggs or nest anywhere they choose. If hens are allowed to nest wherever they choose, you will not know how old eggs are when you find them or what they have been in contact with — if you can find them at all. Eggs laid in nest boxes will also be cleaner.
- Keep birds safe. Don't attract wildlife to your flock by allowing birds to range free or by leaving feed or waste materials out in the open. Bears, wolves, dogs, foxes and eagles all love domestic poultry. Consider completely enclosing your coop and runs to prevent these predators from preying on your flock. This can be as easy as putting netting over the fenced yard. Once predators discover an easy meal, they will be back causing ongoing problems for you and your birds.
- Provide a clean environment. Keeping the flock's environment clean and dry will help keep your eggs clean. A muddy outside run, dirty or damp litter and dirty nesting material will result in dirty, stained eggs. Clean out the nest boxes and add deep, clean litter at least every two weeks. Clean out wet litter in the coop and make sure the outside run area has good drainage and is not overgrazed.
- Provide adequate nest space. Supply a minimum of four nesting boxes for flocks of 15 hens or fewer. For larger flocks provide one nest for every four to five hens in the flock. This will help limit egg breakage from normal traffic and daily egg laying. Make sure nests have a deep, clean layer of litter to prevent



breakage and help absorb waste or broken egg material. Place nest boxes in dimly lit areas to help reduce or prevent egg pecking.

- Make sure you have perches. Part of the bird's natural behavior is to roost. Providing flat wooden perches at least 4 inches across will allow the birds a feeling of security and comfort. Perches keep the birds feet warmer and help eliminate health problems like bumble foot.

### Collecting the Eggs

A hen's laying time will vary depending on the temperature of the coop and at what time the hens are exposed to light. It is best to collect the eggs as soon as possible after they are laid, so get to know your flock's cycle. The longer the egg is allowed to stay in the nest, the more likely it is that the egg will get dirty, broken or lose interior quality.

Collecting eggs at least twice daily is advisable. Collecting three or more times a day may be necessary during winter extremes to prevent freezing. A frozen egg, even if not cracked, can be significantly lower in quality.

### Other Considerations for Layer House Management

- Rotate range areas often or allow enough area for birds in outside runs to prevent large dirt and mud areas from forming by overgrazing. Electric poultry fencing or chicken tractors (portable coop and run structures) can be helpful in rotating areas.
- Provide adequate lighting and a heat source during cold weather. Hens need a minimum of 15 hours of light to continue laying through the dark months. It's best to add light in the morning and not the evening in order to help maintain egg production and to make sure the birds aren't suddenly caught out in the dark when the lights switch off. Provide enough light so that newsprint can be read anywhere in the coop.
- Provide hens with readily available grit and oyster shells to help strengthen the egg shells.
- Store feed in a metal container and keep feeders up off the ground to discourage rodents.

### Proper Egg Cleaning and Handling

- Collect eggs and brush off any debris adhering to the egg shell, then put them in an easy-to-clean container, such as a coated wire basket or plastic egg flat. This will prevent stains from rusted metal and contamination from other materials that are difficult to clean and disinfect.

- Do not stack eggs too high. If collecting in baskets, do not stack eggs more than five layers deep. If using plastic flats, do not stack more than six flats. If you stack eggs too deep you will increase breakage.
- Never cool eggs rapidly before they are cleaned. The eggshell will contract and pull any dirt or bacteria on the surface deep into the pores as the egg cools. Try to keep the temperature relatively constant until they are washed.
- Wash eggs as soon as you collect them. This helps limit contamination and loss of interior quality.
- Wash eggs with water that is at least 90°F. This will make the egg contents swell and push the dirt away from the pores of the egg. If you have extremely dirty eggs, a mild detergent approved by the FDA for washing eggs can be used. Never let eggs soak in water. Soaking eggs in water for as little as one to three minutes can allow bacteria to penetrate the shell and contaminate the egg. The eggs can be sanitized to further reduce the bacteria numbers on the shell by using one tablespoon of unscented household chlorine bleach per gallon of water.
- Cool and dry eggs quickly after washing. Store eggs, large end up, at 45°F and at 75 percent relative humidity. If eggs sit at room temperature (75°F), they can drop as much as one grade per day. If fertile eggs are kept at a temperature above 85°F for more than a few hours, the germinal disc (embryo) can start to develop. If fertile eggs are kept above 85°F over two days, the blood vessels of the embryo may become visible. Eggs stored properly in their own carton or other stable environment will maintain a quality of Grade A for at least four weeks.

### Sorting and Grading Eggs

It is best that you sort the eggs before you store, sell or consume them. The easiest way to sort eggs is to candle them with a bright light. This process can help you eliminate cracked eggs or eggs with foreign matter inside, such as blood spots.

**Candling eggs:** Hold the egg up to the candling light in a slanting position. You will see the air cell, the yolk and the white; the air cell is almost always in the large end of the egg. Put the large end next to the candling light. Hold the egg between your thumb and first two fingers. By turning your wrist quickly, you can cause the inside of the egg to whirl. This will tell you a great deal about the yolk and white. When you are learning to candle, you will find it helpful to break and observe any eggs you are in doubt about.



*Candling an egg.*

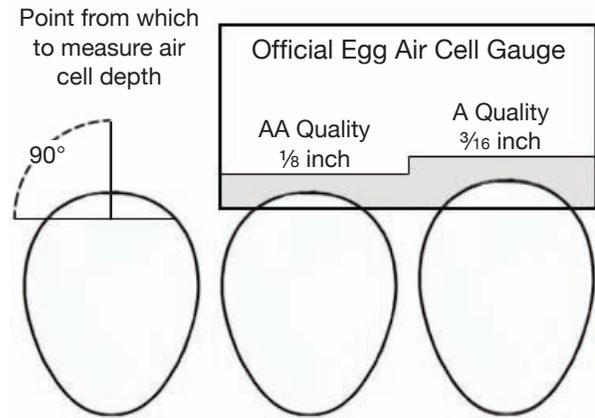
**Note on candling dark brown eggs:** In order to properly candle dark brown eggs, you will need a candling light with a magnifier specifically made for eggs. These can be purchased through a poultry supply company.

**Identifying cracks:** Cracked eggs will appear to have a white line somewhere on the shell. These cracks will open if you apply slight pressure to the shell. Remove cracked eggs and consume them as soon as possible or discard.

**USDA grade standard:** Use the specifications given in the table below to determine the grade of an egg. Consider shell, air cell depth, yolk outline and albumen quality. GRADING EGGS MAY BE DONE BY THE PRODUCER. One does not need a USDA grader to grade the eggs.

**Shell:** A normal, high-quality egg has an oval shape with one end larger than the other. The shell should be sound with no cracks, apparent thin spots or ridges that affect the soundness of the shell.

**Air cell depth:** The depth of the air cell is the distance from its top to its bottom when the egg is held with the air cell up (see figure 2) In a fresh egg, the air cell is small, not more than 1/8 inch deep. As the egg ages, evaporation takes place and the air cell becomes larger, resulting in a lower grade egg.



**White, or albumen:** The character or condition of the white, or albumen, can be determined by the behavior of the yolk when the egg is candled. If the yolk retains its position in the center when the egg is twirled, the white is usually firm and thick.

**Yolk:** The yolk of a fresh, high-quality egg will be surrounded by a rather dense layer of albumen, or white.

Quality Factor	AA Quality	A Quality	B Quality	Inedible
<b>Shell</b>	Clean	Clean	Clean to slightly stained**	Dirty
	Unbroken; practically normal	Unbroken; practically normal	Unbroken; abnormal	Broken, cracked and/or leaking
<b>Air Cell</b>	1/8 inch or less in depth	3/16 inch or less in depth	More than 3/16 inch in depth	Doesn't apply
<b>White</b>	Clear, firm	Clear, reasonably firm	Weak and watery	
<b>Yolk</b>	Outline slightly defined	Outline fairly well defined	Outline clearly visible	Doesn't apply
<b>Spots (blood or meat)</b>	<b>None</b>	<b>None</b>	<b>Blood or meat spots aggregating not more than 1/8 inch in diameter</b>	<b>Blood or meat spots aggregating more than 1/8 inch in diameter</b>

\* For more in-depth grading and egg information, read "USDA Egg Grading Manual" available at [www.ams.usda.gov/AMSV1.0/ams.search.do?q=howtobuy](http://www.ams.usda.gov/AMSV1.0/ams.search.do?q=howtobuy).

\*\* Moderately stained areas permitted (1/32 of surface if localized, or 1/16 if scattered.)

Therefore, it moves only slightly away from the center of the egg when it is twirled in front of the candling light, and the yolk outline is only slightly defined. As the albumen thins, the yolk tends to move more freely and closer to the shell and the defined outline is more easily seen. A more visible yolk when candled indicates a lower quality egg.

**Spots:** Eggs with blood or meat spots more than 1/8 inch in diameter are classified as inedible. Eggs with small spots collectively less than 1/8 inch in diameter should be classified as Grade B. The *chalaza* (whitish, ropelike protein on each side of the yolk that suspends it in the albumen) is distinguished from a meat spot by a bright area of refracted light that accompanies its darker shadow. Blood spot eggs can be consumed without harm; however, people may find the appearance undesirable.

**Sizing eggs:** It is usually best to size eggs for marketing since consumers prefer medium, large and extra large eggs. Weigh your eggs and use the specifications in the table below to determine size classifications. Egg scales can be purchased through a poultry supply company, but any accurate scale will work.

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### Egg Sizing Chart

Size or weight class	Minimum net weight per dozen
Jumbo	30 ounces
Extra large	27 ounces
Large	24 ounces
Medium	21 ounces
Small	18 ounces
Peewee	15 ounces

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### Maintaining quality

Refrigeration maintains the quality of the egg. A temperature no greater than 45°F will slow the deterioration of the egg quality and reduce the growth of bacterial pathogens such as salmonella.

The egg is laid at 105°F, the normal body temperature of the hen. As the egg cools, the albumen and yolk shrink away from the shell, forming the air cell. Over time, the albumen loses water and continues to shrink, causing the air cell to increase in size and, thus indicating a decline in quality.

Using the well-known “does-the-egg-float-in-water test” to determine if an egg is edible is not always accurate. If the egg floats, it is old, but it could still be perfectly safe to eat. Instead, crack the egg into a bowl and look for un-

usual appearance or an “off” odor. If either characteristic appears or you have any questions or concerns, dispose of the egg.

Over time, the structure of the white and yolk will begin to break down, decreasing the quality of the egg and resulting in an egg with a thinner, more watery albumen, or egg white, and a softer, flatter and weaker egg yolk. If broken open, the egg will spread over a large area with a clear, watery white with reduced leavening and thickening powers; the yolk will be flatter and more easily broken. Using poor quality eggs in cooking or baking may cause a recipe to fail.

### Storing eggs

- Store eggs in an egg carton with the small end down to keep the air cell stable.
- Date the carton so you can use or sell the oldest eggs first, and rotate your extra eggs. Try to use or sell all eggs before they are three weeks old.
- Store eggs in a refrigerator with an ambient temperature no greater than 45°F and 70 to 85 percent humidity. Place a thermometer in the refrigerator to track the temperature of your fridge. Never hold eggs at or above room temperature or at low humidity longer than necessary. Leaving eggs in a warm, dry environment will cause quality to drop quickly.
- Never store eggs with materials that have an odor. Eggs will pick up the odors of apples, fish, onions, potatoes and other food or chemicals with distinct odors.

### Package (carton) labels

If the eggs are packaged to be sold at a food establishment, they must meet food labeling laws and regulations. To be in compliance, your eggs must be labeled with the following information in English, using at least a 1/4-inch font size:

- Statement of identity (eggs)
- Grade and size/weight class
- Numeric count (for example, one dozen, two dozen)
- Name and address of the producer (farm name) distributor, packer or retailer. If the name placed on the label can be found in a telephone directory, only the city, state and ZIP code need to be included. Otherwise, the street address must be included.
- The words “Keep Refrigerated”

ONE DOZEN	Your Alaska Farm	SAFE HANDLING INSTRUCTIONS: To prevent illness from bacteria: keep eggs refrigerated, cook eggs until yolks are firm and cook foods containing eggs thoroughly.
GRADE A	1234 Alaska Drive	
LARGE EGGS	Your Town, AK 99700	
KEEP REFRIGERATED		

*Example of label to be secure to top of egg carton.*

- Safe handling instructions, with the statement:

**SAFE HANDLING INSTRUCTIONS:** To prevent illness from bacteria: keep eggs refrigerated, cook eggs until yolks are firm and cook foods containing eggs thoroughly.

It is acceptable to recycle cartons if the cartons are clean and in good condition and if all labeling information that does not apply is removed. Egg cartons must be free from inspection or labeling marks from previous use.

**Specialty Labels**

**Organic:** Eggs cannot be labeled or represented as organic unless the operation has been certified by an accredited National Organic Program certifier. Contact the Alaska Division of Agriculture for more information.



**Alaska Grown:** Eggs can be sold with the Alaska Grown logo on their label ONLY if they have been Alaska Grown certified.



**Transporting and displaying eggs**

Eggs should be kept at a temperature below 45°F during transportation to the point of sale. This can be done by keeping the eggs under refrigeration until transport, then using a cooler with gel packs to keep the eggs cool. If the eggs are to be sold at a farmers market or roadside stand, use mechanical refrigeration, such as a small refrigerator or plug-in cooler, if possible. A thermometer should be placed in the cooler so that the temperature can be monitored to ensure that the air temperature in the cooler is below 45°F.

**Selling eggs to a food establishment**

If the eggs are delivered to or sold to someone who is not the end consumer, such as a food establishment, they must be received at the establishment in refrigerated equipment that maintains an ambient air temperature of 45° F degrees or below. The eggs must be clean and sound and not exceed the restricted egg tolerances for the U.S. consumer Grade B (see egg grading section). The eggs must be properly labeled (see section on package labels).

**Regulations for Egg Sales**

No regulations	Alaska Food Code (DEC) Shell Egg Regulations (DNR)
From the producer direct to consumer (on-farm sales, farmers market sales by producer, or roadside stand sales by producer	From the producer to an intermediary* (not final consumer) *Someone other than the producer who sells the eggs at the farmers market, a repacker or a retail store

## Resources

Alaska Department of Environmental Conservation,  
Food Safety and Sanitation Program:

[www.dec.alaska.gov/eh/fss/index.htm](http://www.dec.alaska.gov/eh/fss/index.htm)

[www.dec.state.ak.us/regulations](http://www.dec.state.ak.us/regulations)

Alaska Department of Natural Resources. Division of  
Agriculture:

<http://dnr.alaska.gov/ag/index.htm>

[http://dnr.alaska.gov/ag/ag\\_AKGrown.htm](http://dnr.alaska.gov/ag/ag_AKGrown.htm) (*Alaska  
Grown*)

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Handling of Eggs: From Hen to Consumption*:

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and Nonorganic)*, 2009:

<http://pubs.cas.psu.edu/FreePubs/pdfs/ua335.pdf>

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[http://extension.unh.edu/resources/files/Resource  
000472\\_Rep494.pdf](http://extension.unh.edu/resources/files/Resource000472_Rep494.pdf)

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site, accessed April 10, 2011:

[www.aphis.usda.gov/animal\\_health/birdbiosecurity/](http://www.aphis.usda.gov/animal_health/birdbiosecurity/)  
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tion Service, “Shell Eggs from Farm to Table,” last  
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[www.fsis.usda.gov/Factsheets/Focus\\_On\\_Shell\\_  
Eggs/index.asp](http://www.fsis.usda.gov/Factsheets/Focus_On_Shell_Eggs/index.asp)

U.S. Department of Agriculture, Agriculture Marketing  
Service, Agricultural Handbook Number 75, *Egg  
Grading Manual*, July 2000:

[www.ams.usda.gov/AMSV1.0/getfile?dDocName=S  
TELDEV3004502](http://www.ams.usda.gov/AMSV1.0/getfile?dDocName=S<br/>TELDEV3004502)

U.S. Department of Agriculture, Agriculture Marketing  
Service, National Organic Program, accessed April  
10, 2011:

[www.ams.usda.gov/AMSV1.0/nop](http://www.ams.usda.gov/AMSV1.0/nop)

### **United States Food and Drug Administration: Label- ing Information**

U.S. Food and Drug Administration, “Guidance for In-  
dustry: Food Labeling: Safe Handling Statements,  
Labeling of Shell Eggs; Refrigeration of Shell Eggs  
Held for Retail Distribution; Small Entity Compli-  
ance Guide,” July 2001.

[www.fda.gov/Food/GuidanceComplianceRegulatory-  
Information/GuidanceDocuments/FoodLabeling  
Nutrition/ucm059055.htm](http://www.fda.gov/Food/GuidanceComplianceRegulatory-<br/>Information/GuidanceDocuments/FoodLabeling<br/>Nutrition/ucm059055.htm)

U.S. Food and Drug Administration, “Egg Safety Final  
Rule,” July 7, 2009:

[www.fda.gov/Food/FoodSafety/Product-Specific  
Information/EggSafety/EggSafetyActionPlan/  
ucm170615.htm](http://www.fda.gov/Food/FoodSafety/Product-Specific<br/>Information/EggSafety/EggSafetyActionPlan/<br/>ucm170615.htm)



*For more information, contact your local Cooperative Extension Service office or Stephen Brown, Extension Faculty, Agriculture and Horticulture, at 907-745-3639 or scbrown4@alaska.edu.*

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# STATE OF ALASKA

**DEPT. OF ENVIRONMENTAL CONSERVATION  
DIVISION OF ENVIRONMENTAL HEALTH  
OFFICE OF THE STATE VETERINARIAN**

**SEAN PARNELL, GOVERNOR**

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<http://www.dec.state.ak.us/>

May 12, 2010

Dear Interested Party:

The Office of the State Veterinarian developed a fact sheet to describe the legal bounds of cow, goat, or sheep "shares" in Alaska.

As you know, raw milk for consumption is a commodity that is produced by lactating mammals usually cow, goats or sheep. These animals are usually owned by an individual owner or farm family. State regulations (18AAC32.010) prohibit the distribution or sale of raw milk but are not intended to prohibit the consumption of the raw milk by the owner or owners of the animal. This is based on the premise that the animal owner understands the public health risks associated with raw milk and is responsible for protecting themselves and their own families. The definition of animal ownership has extended to other people owning "shares" of an animal. These "shares" would allow the raw milk to be distributed to several "owners" because it is a raw agricultural commodity from the animal.

The processing of raw milk into cheese, yogurt, kefir, butter or other products can be done by the owner of the raw milk at his or her own kitchen for consumption by the owner or their family. But a single share owner cannot produce milk products and give or sell them to other share holders or other consumers. This would constitute a processing of a raw food into a formulated ready-to-eat food for distribution and the allowance of a share program for raw milk does not extend to other milk products. The processing of dairy products (18AAC 32.010 - 18AAC 32.990) and other food products (18AAC 31.010 - 18AAC 31.990) is regulated by the State of Alaska to ensure that when given or sold as part of commerce; and intended for human consumption; the products are manufactured, sold and delivered in a safe and wholesome condition.

This processing activity cannot be done without meeting the state food processing regulations and being issued a permit. Share owners may not legally make milk products and distribute them without a valid permitted facility. Your awareness of these requirements will help in the unlawful distribution or sale of raw milk or raw milk products. Thank you for your co-operation.

If you have any questions, please feel free to contact the Dairy Specialist at (907) 376-1853; the Assistant State Veterinarian at (907) 375-8213; or the State Veterinarian at (907)375-8214. For further information concerning the food processing regulations you can contact the Food Safety and Sanitation Program at (877) 233-3663 or local Anchorage area number (907) 334-2560.

Sincerely,



Robert F. Gerlach, VMD  
State Veterinarian



# RAW MILK – COW, GOAT, SHEEP “SHARES”



- **Raw milk may contain food borne pathogens. These pathogens, which may be shed into the milk directly from the animal or enter the milk from the environment, present a health threat to people who consume raw milk.**
- 18AAC32.060 forbids removal of raw milk from a premise unless it is to be pasteurized by a processor or denatured and labeled “FOR ANIMAL FOOD NOT FOR HUMAN CONSUMPTION”.
- The current regulations, **18 AAC 32.010** and **18 AAC 32.060**, were written to safeguard public health and protect consumers. 18AAC32.010 allows for consumption of raw milk and raw milk products by the person who owns the cow, goat or sheep.
- The original intent of these regulations was to prohibit the distribution or sale of raw milk and raw milk products; not to limit consumption of these products by the owner or owners of the animal. **Goat or cow shares allow the owner(s) to take milk from the premises where it was collected and process the milk into products strictly for their family’s consumption.** Only the milk can be distributed among the owners of an animal. **An animal owner cannot collect and further process the raw milk for distribution or sale to others.**
- **A legal contract needs to be established clarifying ownership of the animal.** (Examples may be found on internet sites promoting raw milk, such as, The Weston A. Price Foundation *Real Milk* website. It is your responsibility to determine what is appropriate.)
- The current regulations (18 AAC 32.010 and 18 AAC 32.060) do not permit the public sale or distribution of raw milk or any products made from raw milk at a physical location (e.g., home, farm store), via the mail or the internet.

# RAW MILK – COW, GOAT, SHEEP “SHARES”

- The animal owner is responsible for protecting themselves and their family from any hazards associated with consuming raw milk or products they make using raw milk.
- Certain segments of the population (e.g., the very young, seniors, and any person who is immune-compromised) are at greater risk for severe health problems or sequelae from infections that may be acquired from consuming raw milk. This risk is now even greater with the emergence of antimicrobial resistant pathogens like *Salmonella* and *Escherichia coli*.

There are significant health hazards associated with the consumption of raw milk and dairy products made from raw milk since this milk may contain food borne pathogens. Multiple outbreaks of food borne illness in the U.S. have been reported where unpasteurized milk or cheeses are implicated. Additional information is available from the Alaska Department of Health and Social Services Epidemiology Bulletin “Unpasteurized or Raw Milk ”

([http://www.epi.alaska.gov/bulletins/docs/b2009\\_29.pdf](http://www.epi.alaska.gov/bulletins/docs/b2009_29.pdf)),

the FDA (<http://www.fda.gov/Food/ResourcesForYou/Consumers/ucm079516.htm> ),

the CDC ([http://www.cdc.gov/healthypets/cheesespotlight/cheese\\_spotlight.htm](http://www.cdc.gov/healthypets/cheesespotlight/cheese_spotlight.htm))

[http://www.cdc.gov/nczved/divisions/dfbmd/diseases/raw\\_milk/](http://www.cdc.gov/nczved/divisions/dfbmd/diseases/raw_milk/) ;

and <http://www.realrawmilkfacts.com/>

## To reduce the potential for pathogens to be introduced we recommend:

1. Good veterinary care for the animals.
2. Standard hygienic practices when milking the cow, goat or sheep:
  - a. Wash the teats with a sanitizing solution and dip teats in an approved germicidal teat dip before milking
  - b. Use a strip cup to examine the milk for abnormalities
  - c. Dip the teats in an approved germicidal teat dip after milking
  - d. Use clean and sanitized equipment to collect the milk.
3. Proper storage and handling of the milk after it is collected. Milk is a nutrient rich product and encourages bacterial growth, so taking care with the handling and storage of milk to prevent the growth of food borne pathogens is encouraged.
4. Milk from animals being treated with antibiotics or other pharmaceuticals should not be consumed.





Municipality of Anchorage  
 DEPARTMENT OF HEALTH AND HUMAN SERVICES  
**ENVIRONMENTAL SERVICES / FOOD SAFETY & SANITATION**  
 825 L Street, P.O. Box 196650, Anchorage, Alaska 99519-6650  
 Telephone: (907) 343-4200 Fax: (907) 343-4786  
 www.muni.org

AP -



**APPLICATION FOR HEALTH PERMIT**

**Food Establishment**     **Temporary Food**     **Pool/Hot Tub**     **Beauty/Barber Shop**     **Pest Control**

Facility Name:		If Change of Owner, Previous Facility Name:	
Owner's Name(s):		Name of Person To Contact:	
Site Address:		Phone:	Fax:
		Email:	
Mailing Address:	City:	State:	Zip:
Certified Manager's Name:	Manager Certificate #	Certificate Expiration Date:	Operating Days/Hours:
			Seating Capacity:

**IF TEMPORARY FOOD, PROVIDE THE FOLLOWING**

Event & Location	Date(s)	Hrs. of Operation	Approved Kitchen/ Commissary	Time of Food Prep At Kitchen

Foods To Be Served

**IF PEST CONTROL, PROVIDE THE FOLLOWING**

- Pesticide applicant will comply with insurance requirements in AMC 15.75
- Equipment to be used • Pesticides/Chemicals used & method of application • Description of area(s) where application occurs
- Copy of liability insurance policy

I Certify that I am familiar with applicable Anchorage Municipal Code of Ordinances and that the above described establishment will be operated and maintained in accordance with said Ordinances.

Applicant's Signature:	Date:
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Facility ID:	District #:	PE:	Owner ID:	Change: <input type="checkbox"/> New <input type="checkbox"/> Owner <input type="checkbox"/> Name <input type="checkbox"/> Permit Renewal <input type="checkbox"/> Mailing Address	Invoice #
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<b>Fees:</b>  Permit _____  Change of Owner _____  Late Fee _____  Other _____  <b>Total</b> _____	Department Comments:			
	Payment Type:	Check #:	Cash Register Receipt:	Date Received:
	Approved (MOA):			Date Approved:



## Checklist for Setting up a Temporary Food Service

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Application	<b>A completed application must be submitted at least seven days prior to the event for events lasting 1-7 days, and more than 15 days for events lasting eight or more days.</b>
Approved Kitchen	If another facility is being used please describe this on the application.
<b>Personnel</b>	
Handwashing	Provide a two-gallon or larger insulated container with warm water and a constant flow (not push button) spigot, a catch basin, soap, and dispensed paper towels. See instructions for setting up this station.
Health	Assure that no one working in the booth is experiencing symptoms of vomiting, diarrhea, sore throat with fever, or jaundice. Make sure that no one handling food or utensils has open cuts or sores that cannot be covered with a band-aid <u>and</u> gloves.
Hygiene	Make sure all workers know when and how to wash their hands. Assure that all workers have clean outer garments and hair restraints.
Training	If the event lasts for four days or more, the operator must have received approved training, hold an Alaska Food Worker Card, or be a Certified Food Protection Manager.
<b>Cleaning</b>	
Dishwashing	<p>A minimum of three basins, large enough for complete immersion of utensils, and a means to heat water are required to wash, rinse, and sanitize utensils. Utensils used continuously must be washed, rinsed and sanitized every four hours.</p> <p>Wash utensils in hot soapy water; rinse in clear warm water; sanitize for thirty seconds in bleach water (1 tsp bleach to 1 gallon of water), or approved sanitizer; and air dry.</p> <p>For short events have plenty of extra utensils available.</p>
Bleach	Bleach (unscented) or another approved sanitizer must be provided for dishwashing sanitization and storage of wiping cloths in lukewarm water.
Wiping Cloths	Wiping cloths must be rinsed frequently and stored in a clean 100 ppm chlorine solution. Sanitizer bucket: 1 tsp of bleach to one of gallon of water. Spray Bottle: 1/4tsp of bleach to 1 quart of water. Do not use hot water with bleach- it makes it evaporate quickly!
<b>Food &amp; Utensil Storage &amp; Handling</b>	
Dry Storage	Store all food, equipment, utensils and single-service items off the floor/ground on pallets or shelving to protect against contamination.
Cold Storage	Provide refrigeration units to keep potentially hazardous foods at 41°F or lower. An insulated container with blue ice or drained ice may be approved for storage of less hazardous foods or for shorter events.
Hot Storage	Hot food storage units must be used to keep potentially hazardous foods at 135° or higher.

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Thermometers	Refrigerator units need a thermometer to accurately measure the air temperature inside. A metal stem thermometer must be provided to check the internal temperatures of both hot and cold food. Thermometers must be calibrated.
Wet Storage	Wet storage of canned or bottled, non-potentially hazardous beverages is acceptable when the water contains at least 10 ppm of chlorine and the water is changed frequently.
Food Display	All food and single service items must be protected from customer handling, coughing, or sneezing by wrapping, sneeze guards or other effective barriers.
Food Preparation	Utensils such as tongs, tissues, ladles or gloves must be used. No bare hand contact with ready to eat foods such as garnishes, vegetables, bread, pastries or other items that do not have a cook step prior to service.  Cooking and serving areas must be protected from contamination. Barbecue areas must be roped off or otherwise segregated from the public.
Cooking	<b>Make sure food is cooked to safe temperatures:</b> Meat, Seafood and Eggs 145°F Ground Meat 155°F Poultry and Stuffed Meats 165°
	<b>Water Supply</b>
Water Supply	An adequate supply of potable water must be on site and obtained from an approved source.  Water storage at the booth must be in an approved storage container(s). Ice used as an ingredient must be from an approved source.
	<b>Wastewater</b>
Disposal & Storage	Wastewater must be disposed in an approved wastewater disposal system. Wastewater containers must be covered and labeled "For Wastewater Only."
	<b>Premises</b>
Floors	For events lasting 4-21 days, floors must be constructed of tight wood, asphalt or other cleanable material. Floors must be finished so they are cleanable.
Walls & Ceiling	Walls and ceilings are constructed to protect from the elements and to restrict access, are cleanable, and are kept clean.
Counters & Shelving	All food preparation surfaces must be smooth, easily cleanable, durable, and free from seams and difficult to clean areas. All other surfaces must be finished so they are cleanable.
Garbage	An adequate number of cleanable containers must be provided inside and outside the booth. Garbage stored outside needs to be covered and stored to prevent the attraction of pests.
Restrooms	An adequate number of approved toilet and handwashing facilities must be provided at events lasting longer than two hours. These facilities must be accessible for employee use.
Clothing	Personal clothing and belongings must be stored at a designated place in the booth, away from food preparation areas, food service and dishwashing areas.



Alaska Department of Environmental Conservation  
Food Safety and Sanitation Program

## **Fees and Payments for Temporary Foods Service Permits**

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One Day Events	A) \$35, if application is submitted at least 7 days before the event. B) \$70, if application is submitted fewer than 7 days before the event.
2 -3 Day Events	A) \$65, if application is submitted at least 7 days before the event. B) \$130, if application is submitted fewer than 7 days before the event.
4-7 Day Events	A) \$90, if application is submitted at least 7 days before the event. B) \$180, if application is submitted fewer than 7 days before the event.
8-28 Day Events	A) \$120, if application is submitted at least 15 days before the event. B) \$240, if application is submitted fewer than 15 days before the event.

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### **How to Pay**

**Check or money order:** By mail or in person, made out to ADEC or State of Alaska.

**Cash Payments** are accepted at local DEC offices. Please do not mail cash.

**Credit Cards** are accepted by phone or in person at Fairbanks (907-451-2120) or Anchorage at (907)-269-7501.

There is no charge for applicants under Group Ruling 1761, 501(c)(3) of the Internal Revenue code that apply within the appropriate time periods. Please mail or present a copy of an Internal Revenue Service/Dept. of Treasury document exempting your establishment from federal income tax. **Late fees will be applied for all permit applications (including 501(c)(3)'s) that are not received in the time periods specified above.**

(Rev 9/09)



# Application for Temporary Food Service Permit

## Alaska Department of Environmental Conservation Division of Environmental Health Food Safety & Sanitation Program



Purpose (check one) <input type="checkbox"/> 1 Day Event <input type="checkbox"/> 2-3 Day Event <input type="checkbox"/> 4-7 Day Event <input type="checkbox"/> 8-28 Day Event <input type="checkbox"/> Recurring <input type="checkbox"/> School Fundraiser				
Booth or Organization Name		Responsible Person		Telephone
Mailing Address		City	State	Zip
Email Address			Fax	
Name of Event and Location			Dates of Event	

If you are 501(c)(3), please include a copy of the letter from the IRS stating your status.

- Before completing this application, read the "Temporary Food Service Checklist".  
**Have you read this material?**  Yes  No
- List all items on your MENU:**  
\_\_\_\_\_
- Will all foods be prepared at the temporary food service booth?  
 Yes: **Fill out** Section A  
 No: **Attach a copy** of the signed agreement for use of an approved kitchen, listing dates, times, preparation and the storage of food items **and fill out** Sections A & B
- List** each menu item, and for each item **check** which preparation procedure will occur.

### SECTION A - At the booth:

FOOD	Thaw	Cut/assemble	Cook	Cool	Cold Holding	Reheat	Hot Holding	Portion/Pkg
1.								
2.								
3.								
4.								
5.								

### SECTION B - At the approved kitchen:

FOOD	Thaw	Cut/assemble	Cook	Cool	Cold Holding	Reheat	Hot Holding	Portion/Pkg
1.								
2.								
3.								
4.								
5.								

**NOTE:** If your food preparation procedures cannot fit these charts, list all of the steps in preparing each menu item on an attached sheet.

- Source(s) for meat, poultry & seafood: \_\_\_\_\_  
Source of and storage of water:  city  other \_\_\_\_\_  
Storage and disposal of wastewater:  city sewer  other \_\_\_\_\_  
Storage and disposal of garbage:  dumpster  other \_\_\_\_\_
- On the back of this page, **draw a sketch** of the booth.

I certify that I am familiar with 18 AAC 31, Food Service Regulations of the Department of Environmental Conservation, and the above described establishment will be operated and maintained in accordance with the regulations.

Applicant's Signature \_\_\_\_\_

Date \_\_\_\_\_

<b>FOR OFFICE USE ONLY</b>	
Payment Method: <input type="checkbox"/> Check # _____ <input type="checkbox"/> Credit Card <input type="checkbox"/> Cash	Payment Amount: _____ Date Rec'd: _____ Initials: _____ Permit #: _____

